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Board of Review

Second Annual Report for the year ending March 1971

Social and Family Services / Province of Ontario

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THE FAMILY BENEFITS ACT

THE GENERAL WELFARE
ASSISTANCE ACT

THE VOCATIONAL REHABILITATION
SERVICES ACT



OFFICE OF THE CHAIRMAN
BOARD OF REVIEW
DEPT. OF SOCIAL & FAMILY
SERVICES
ROOM M1-57, MACDONALD BLOCK
PARLIAMENT BUILDINGS
TORONTO 1B2, ONTARIO.

BOARD OF REVIEW

June 7th, 1971.

The Honourable Thomas L. Wells,
Minister of Social and Family Services.

Sir:

I have the honour to submit for your approval
the Report of the Board of Review, of the Department of
Social and Family Services.

This Report covers the Fiscal Year ending
March 31, 1971, and is respectfully submitted.

Your obedient servant,

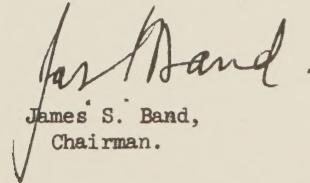

James S. Band,
Chairman.

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board members

Chairman	James S. Band
Vice-Chairmen	Miss Robena J. Morris
	Mr. Frank Drea
	Mr. John deP. Wright
Members	Mr. Earl Armstrong
	Mr. J. L. C. LeCours
	Mr. James Ballantyne
	Mrs. Norma Brown
	Mr. Leonard H. Ellins
	Mr. Lionel Vaillancourt

purpose

informing the people

The purpose of the Board of Review can be stated simply. It is to afford and to ensure to anyone applying for or receiving assistance under the Family Benefits Act, the General Welfare Assistance Act, or the Vocational Rehabilitation Services Act, the opportunity to register formal objection or complaint against a decision of the Director, to be heard in person and to receive a thorough, impartial and authoritative review of the decision. The Board of Review is designed to be a safeguard against any arbitrary or improper action.

The Board is an administrative service as distinct from a conventional Court and in a very real sense acts as a kind of collective ombudsman to settle the dispute without the rigidity of procedure of a Court of Law. The aim of the Board since its creation has been to conduct hearings in an informal atmosphere which will set the applicant at ease.

It is important to note that the jurisdiction of the Board is limited to statutory rights and review of the exercise of authority to determine the existence and extent of the benefits made available in individual cases. These powers are concerned with the determination of the eligibility of an applicant for assistance, the amount to be paid to an applicant found eligible, the ordering and making of investigations of applicants for or in receipt of payments and the ordering of the suspension, cancellation or variation of payments.

In general it may be said that the major value sought by the Board is the provision of redress in any and all instances where statutory rights to assistance benefits and social services are withheld or withdrawn. While not a primary role, an important bi-product resulting, in part, from Decisions of the Board, has been a certain clarification of administrative action.

When the Board of Review was established, letters signed by the Minister of Social and Family Services were mailed to all persons then in receipt of benefits under the Family Benefits Act, the General Welfare Assistance Act and the Vocational Rehabilitation Services Act advising them of their right to direct inquiries, complaints and formal appeals to the Board. All Municipal Welfare Departments received similar notification. Subsequently such information has been made available to all recipients of public assistance and social and family services, and a form has been supplied to facilitate communication and action.

More recently, on an experimental basis, a brochure has been written, in close collaboration with recipients of Family Benefits. It informs the people in Ontario on the social assistance programs for which they are eligible and it does so in simple, straightforward language. One section of the pamphlet describes the Board of Review. It is entitled "How do you appeal to the Board of Review?" This follows a section on "The rights of people who are eligible for Family Benefits." It is expected that this new pamphlet will have wide and effective use.

Knowledge about the Board of Review is already widespread throughout the Province and beyond. Quantities of the Board's first Annual Report have been requested by other provinces and jurisdictions. It is the intention of the Board to produce a basic information pamphlet for use with the general public.

The Board of Review consists of ten men and women including a chairman, reflecting geographic differences in the Province, and drawn from various walks of life — journalism, banking, housewife, law, welfare administration, business, local government. During the year a former welfare recipient was named to the Board. Board meetings are held once a week.

When an inquiry is received by the Board of Review, whether by visit, phone, letter or application for a formal hearing and review, and whether direct or by referral, action is immediate.

When a hearing is indicated the appellant is written and a time and place are set for the hearing.

Hearings are arranged, so far as possible, to accommodate the convenience of the appellant, often in his own home. It is practice for Board members to go to the appellant particularly in rural or remote areas. It has been found to be most helpful for both the appellant and the Board to meet on his very own ground.

Teams, normally a Vice-chairman and one other member of the Board of Review, are present at the hearings. Seldom is there a week in the year when at least one such team is not out somewhere in the field. Every effort, consistent with impartiality and thoroughness, is made to put the appellant at ease and to conduct the hearing informally and in such a way as to get at the basic problem involved.

The appellant is free to bring someone with him, a friend or advocate, and the Board may, where necessary or desirable, invite one or other persons whose participation would promise to be significant or helpful.

The hearing in reality constitutes a fresh beginning for the appellant. At the outset the Chairman of the Hearing reads aloud Form 6 as filled in by the appellant. A primary objective of the Hearing is to listen and to learn how the individual views his situation, to discover what his problem really is and to have him feel that he has been able to tell his story freely, frankly and fully.

Relevant information is available at the Hearing. Board members approach the Hearing without prejudice and with a minimum of exposure to the information accumulated in the appellant's file.

Such formal reviews are conducted by the Chairman with four or five members of the Board. Each appeal is dealt with on an individual basis. No two cases are necessarily the same. A determined effort is made to consider every conceivable aspect of the particular problem under review. Always, of course, the limits of legislation and administrative discretion have to be known, understood and recognized.

Board members at hearings keep individual notebooks. From such the chairman of a hearing drafts his report. The report is then presented verbally

when the formal review by the Board is held.

When a decision has been reached by the Board, notice of such decision, signed by the Chairman of the Board of Review, is mailed to the appellant, with copies to the other interested parties where appropriate and authorized.

Accompanying such notice of decision is a separate communication advising the appellant of his right to appeal the decision of the Board of Review to the Supreme Court of Ontario. No such appeals were heard by the Court during the year here under review.

volume and nature of appeals

When the Board of Review was established in 1969 it was anticipated that probably it would be dealing with about 50 appeals each month, possibly somewhat over 300 appeals a year. The number of appeals heard, however, rose from 264 in the fiscal year 1969-1970 to 648 in 1970-71. The incidence of inquiries, correspondence, hearings and reviews has been substantially rising from 1,549 in 1969-70 to 3,212 in 1970-71. This increase in the operation suggests that the Board of Review has become widely known and the value of its service recognized.

As in the Board's first Annual Report, a limited series of statistical tables is again included as an Appendix to this Report. It may be of interest at this point to compare the volume of appeals heard in relation to the total number of persons receiving assistance during the year, as was done in the earlier Report. There were 159,134 active cases as of the month of March 1971 served by the Department of Social and Family Services under the three Acts involved. Of this number 905 applicants requested an appeal to the Board of Review, and 878 cases received a hearing. Hearings that were considered suspended, withdrawn, or pending after March 31, 1971, number 230. The remaining 648 appellants sought and received a Hearing, Review and Decision. It should also be noted that the Board dealt with an additional 1,623 cases short of a Formal Hearing.

The distribution of formal appeals as of March 31, 1971 in relation to the number of cases in receipt of assistance in each of the three programs is:

	Cases Receiving Assistance	Number of Appeals Heard
Family Benefits	70,441	305
General Welfare	87,607	324
Vocational Rehabilitation	1,086	19
Total	159,134	648

An examination of the various tables discloses that the 648 appeals heard in 1970-71 were about evenly divided between Family Benefits cases (47.2%) and General Welfare Assistance cases (50.0%). Nineteen cases (2.8%) among the appeals heard were in the Vocational Rehabilitation category. Actually, however, when considered as a percentage of cases receiving assistance, the appeals heard in

Vocational Rehabilitation (1.7%) substantially outweigh appeals heard in both other categories combined (.7%).

The statistical information displayed on major reasons for appeal covers somewhat more detail than was provided in the first Annual Report. Again, however, it will be noted that the dominant problem concerns financial assistance however embedded in difficult, distressing and extremely complex, social situations.

The shift in distribution of appellants by sex over the previous year is probably significant: 58.5% male in 1970-71 as compared with 45.1% in 1969-70.

The pattern of the decisions rendered would appear to differ somewhat from that reported for the previous fiscal year. Actually, omitting supplementary measures recommended by the Board of Review, involving 15.4% of the appeals heard, the combined total of appeals granted in full (29.5%) and appeals granted in part (5.2%) amounting to 34.7%, compares with a larger proportion of decisions favouring the applicant in 1969-70, namely 47.0%. Appeals found ineligible numbered 423 or 65.3% of the cases heard. Additional statistical analysis provides an outline of these decisions by programs.

The only noteworthy shift in family status of the appellant occurs in the "single" category, 25.3% in 1970-71 as against 17.8% in 1969-70. This probably is related closely to age distribution which is the subject of another table.

An analysis of place of residence of appellants heard in 1970-71 reveals that 298 (46% of all appeals heard) lived in seven metropolitan areas (221 or 74.2% of these were in Metropolitan Toronto). The balance of 350 (54% of the appeals heard) resided in 177 localities throughout the Province. This wide distribution of appeals as well as the volume of the case load commented upon above must not be lost sight of in any attempt to gauge demand on the resources of the Board.

As stated in the Board's first Annual Report, one cannot get the full picture or the full human meaning of a service of this kind from statistics alone.

social and economic conditions

To a very considerable degree the type and volume both of informal inquiries and formal appeals reflect prevailing economic and social conditions. Trends in marriage and in family functioning generally reflect significant changes in our society. It is the Board's view based on its experience that the breakup of marriages and the breakdown of families are on the increase. Widespread uncertainty and insecurity have begun to transform many of man's relationships. Commitment in marriage apparently is giving way to other arrangements. Members of the Board of Review have been informed as to the reality of this situation.

Board cases of common-law unions, desertions, separations and illegitimacy are becoming increasingly prevalent. These familial and marital problems are understated in the statistics since in most cases they were coupled with financial problems and listed as the latter.

Unemployment during the period under review has had a marked bearing on the kind of problems the Board has had to deal with. Transiency has loomed larger in the total picture. There has been a substantial increase in the number of appellants under twenty years of age. Many have left their homes. Some quite conscientiously are looking for employment. Some are out for adventure, eager to explore new modes of life, to be mobile, to see Canada. Some are simply footloose, and on the loose, drifting without apparent purpose. A relatively small hard core, in various age brackets, are out to beat the system.

The onus is always on the Department or municipality to justify need. This testing of eligibility relates both to policy and procedures. Grey areas are identified in the process, minimal areas in which there are sometimes uncertainty and lack of precise guidelines either in law or in the administration of the social services.

Some examples might be cited. In the category of work or employment questions such as the following pose serious problems: May a man refuse work and receive public assistance? If so, under what conditions? May a man quit a job apparently without reason and receive public assistance? What about a man who does not show up when a job

opportunity is opened up for him? Is the Government justified in providing financial assistance to a family where the head of a family is on strike? What is to be done about a man who is declared employable on strict, medical grounds but who, taking also social and educational considerations into account is substantially disabled? What effective assistance can be given to a man, otherwise quite productive, who through no fault of his own has lost his job but whose educational background does not meet minimum requirements for retraining, despite strong motivation to work? Furthermore, to use an illustration of a somewhat different type, what appropriate action is indicated when sponsors of an immigrant, often relatives, refuse to honour written agreements?

questions raised

Where delays have occurred the cause usually can be traced to having to wait for reports on medical, financial and legal questions involving the co-operation of other bodies. In some cases the appellant himself withholds essential information or is unco-operative, manipulative or simply fails to appear. In one instance, a claim of total unemployability, four months and two hearings were involved. This matter of the time required to deal effectively with an appeal has been carefully examined.

It may be of some interest to observe that in certain jurisdictions in the United States of America similar appeals are in process for as long as two years. This occurs where the appeal procedure is highly formal and legal and where there is strict adherence to the adversary system. In most states appeal arrangements are internal. The Government of Ontario has sought to avoid inappropriate, cumbersome and unnecessary legalism in the establishment of this Board.

The Board has examined similar review bodies in both the United Kingdom and the United States of America and is awaiting with interest the report of a comparative study of review bodies and procedures in all provinces by the Canadian Council on Social Development, formerly the Canadian Welfare Council. The Board, in turn, itself has been the object of much interest and study by other jurisdictions.

Very few appeals turn out to involve fraud or the suspicion of criminal behaviour. The great bulk of the communications and formal applications for appeal received by the Board of Review involve uncertainty concerning entitlement; marital and family problems that threaten to overwhelm those most directly affected; unemployability due to other than strictly medical reason; and failure, for whatever cause in receiving expected support from relatives or other customary sources. In one way or another these inquiries and applications involve criticism and complaints concerning what are considered unjust or inequitable decisions in the provisions or the withholding of benefits thought to be legally available and justified through the Department of Social and Family Services.

The Board wishes to express its satisfaction and

appreciation especially to the field workers who have gained the confidence of the appellants. The Board is impressed with the high opinion recipients have for provincial field workers regardless of the disposition of their appeals.

With some exceptions municipalities are quite co-operative in meeting the needs of their residents. There is a tendency for the majority of municipalities to take positive steps in granting supplementary assistance and other services within their discretion.

Substantial improvement in local welfare administration this past year has been observed, particularly in smaller municipalities. The welfare manual containing relevant legislation is now kept close at hand for ready reference. Visits by members of the Board of Review to over two hundred local communities during the past two years has been of mutual advantage. A steady improvement in the quality of administration can be observed. It has been felt that the Board has been directly and indirectly helpful to municipal authorities in interpretation of Acts and services to appellants.

The Board holds confidentiality and personal attention as two of its most central objectives. Confidentiality encourages communication and uninhibited communication, above all else, is essential in getting to the roots of a social problem, examining alternative solutions and reaching a reasonable, just and viable decision.

in retrospect

In retrospect, as one looks back over the past year — apart from the very considerable increase in the volume of inquiries and appeals received by the Board — two points deserve special comment.

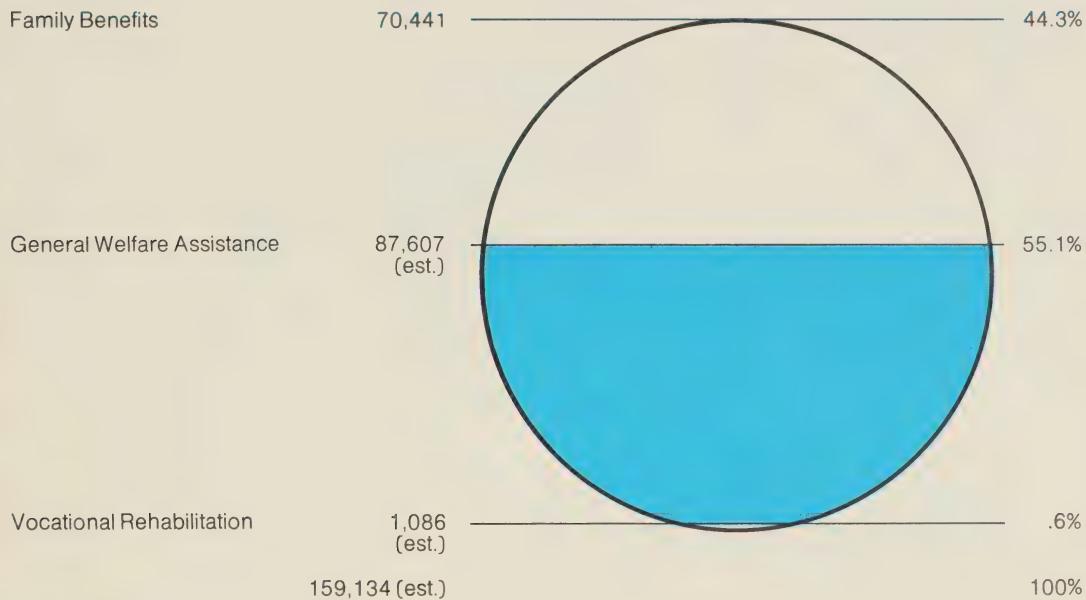
The first point that might be emphasized is that over the two years since the Board was established, and particularly during this past year, in dealing with social and family service recipients throughout the Province, the Board has been in an advantageous position to assess problems brought to its attention. It has been able to interpret policy and to observe the administration of the several programs involved and to see the effective inter-relationships between different units of Government. In individual cases the Board has had opportunity along the way to discuss some of these matters with various parties at interest.

Those who administer large programs in the social services or in almost any field involving the needs of people — health, education, corrections, legal aid, to mention but a few — require a measure of flexibility and therefore some discretion in making administrative decisions. Such decisions, for the most part, involve procedures of one kind and another, the implementation of regulations and the interpretation of formal policy. In extreme instances, where the nature and extent of the need has not been precisely and explicitly anticipated, the administrator may be obliged, on humanitarian grounds, to stretch his discretionary authority. Such judgments and their consequences are subject to scrutiny initially within the Department itself, by appeal to the Board of Review and by appeal from the Board of Review to the Supreme Court of Ontario. In the process, at some point, the Government takes whatever action may be necessary and desirable by amending existing statutes and regulations or by introducing new legislation.

A second and final observation is in order. It concerns the essential autonomy and independence of the Board of Review as a quasi-legal agency. The Board maintains an independent role. It serves as a kind of ombudsman. It provides assurance to the public and especially to persons in need of public assistance and social services that the benefits to which they are entitled by law are effectively provided.

1

TOTAL CASES RECEIVING ASSISTANCE MARCH 31st, 1971



2

APPEAL PROCEDURE 1970-1971

Total Appeals	878	100%
Number of Decisions	648	73.8%
Appeal Withdrawn	97	11.1%
Decision Pending	99	11.3%
*Decision Suspended	34	3.8%

*Appellant did not appear at appointed date of Hearing.

3

NUMBER OF APPEALS HEARD

	1970-71	1969-70	Difference
Family Benefits	305	129	+ 176
General Welfare Assistance	324	131	+ 193
Vocational Rehabilitation	19	4	+ 15
Total	648	264	+ 384

4

LEGISLATION

(Distribution of cases heard by programs)
April 1, 1970 - March 31st, 1971

Family Benefits

305

47.2%

General Welfare Assistance

324

50.0%

Rehabilitation

19

2.8%

Total cases decided

648

100%

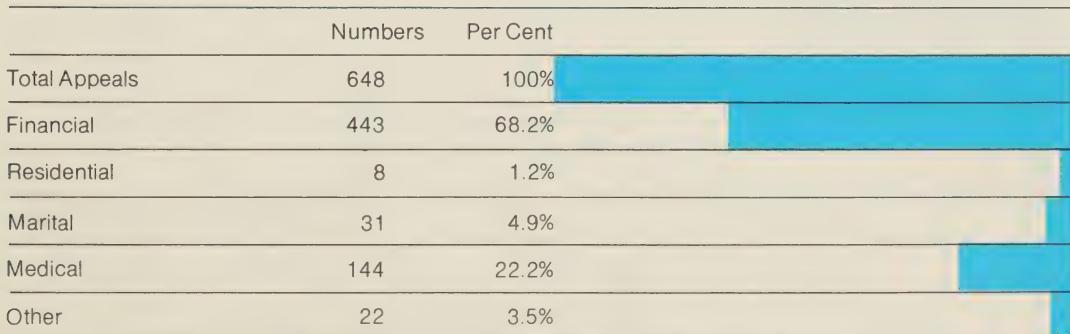
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MAJOR REASONS FOR APPEAL

	1970-71	1969-70	Difference
All Cases	648	264	+ 384
Financial	443	215	+ 228
Services	1	6	- 5
Residential	8	3	+ 5
Marital	31	13	+ 18
Medical	144	16	+ 128
Other	21	11	+ 10

6

MAJOR REASONS FOR APPEAL 1970-1971



Note: Only major sources outlined. Dual features apply in many cases. i.e., (marital and financial)

DECISION CATEGORIES OF CASES HEARD 1970-1971

Appeal Granted in Full

191

29.5%

Appeal Ineligible

423

65.3%

Appeal Granted in Part

34

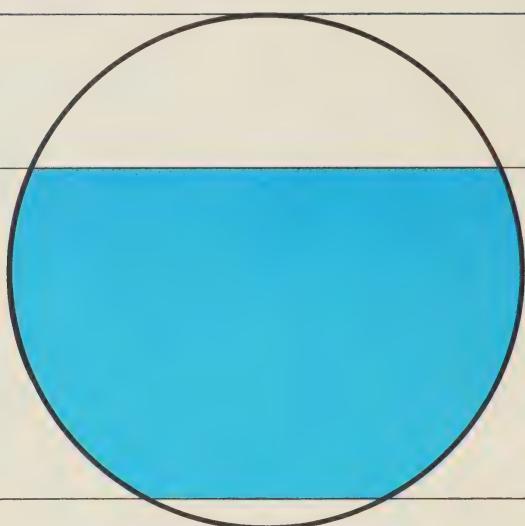
5.2%

All Cases

648

100%

Supplementary Measures Recommended 100 15.4% of all cases



A COMPARISON OF DECISION CATEGORIES

	1970-71	1969-70	Difference
All Cases	648	264	+ 384
Appeal granted in full	191	105	+ 86
Appeal granted in part	34	19	+ 15
Appeal ineligible	423	140	+ 283

Note: It should be observed that in 1970-71, 100 cases had supplementary measures recommended.

9

DECISION BY LEGISLATION 1970-71

	Total	Appeal Granted in Full	Appeal Granted in Part	Appeal Ineligible	Supplementary Measures Recommended
Total	648	191	34	423	100
Family Benefits	305	97	14	194	
General Welfare Assistance	324	84	20	220	
Rehabilitation	19	10	—	9	

10

PURPOSE OF APPEAL 1970-1971

	Numbers	Per Cent
Total Cases Decided	648	100%
Refusal of Assistance	363	56.0%
Cancellation	13	2.0%
Suspension	51	7.9%
Reduction	60	9.3%
Calculation of Allowance	52	8.0%
Insufficient funds	63	9.7%
Other	46	7.1%

11**COMPARISON OF APPELLANTS BY SEX**

	1970-71	1969-70	Difference
Total	648	264	+ 384
Male	379	119	+ 260
Female	269	145	+ 124

12**DISTRIBUTION OF SEX BY LEGISLATION 1970-71**

	Total	Male	Female
Total	648	379	269
Family Benefits	305	127	178
General Welfare Assistance	324	235	89
Rehabilitation	19	17	2

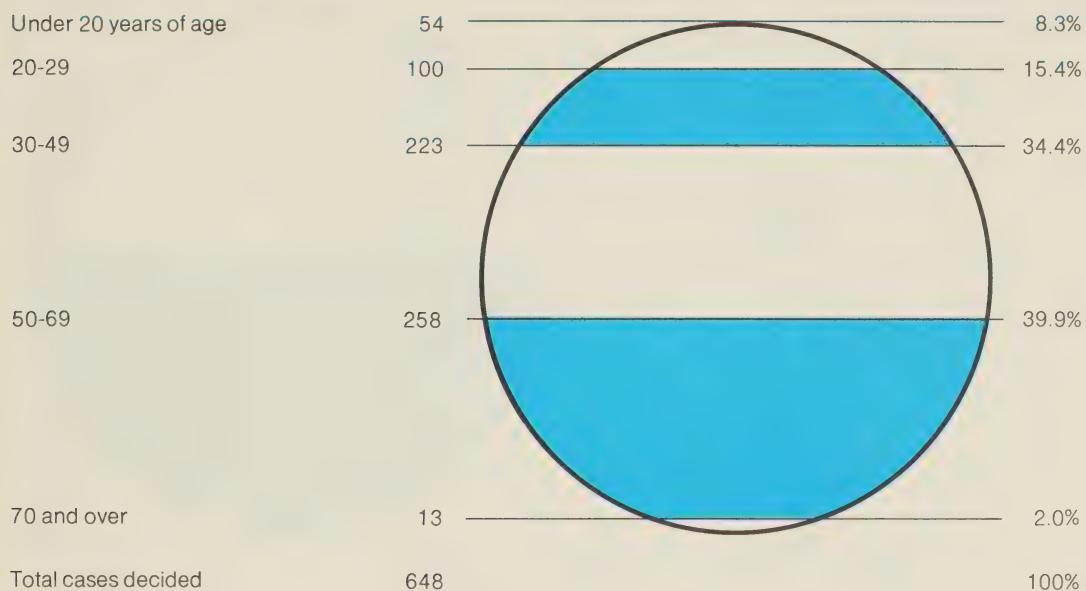
13**FAMILY STATUS OF APPELLANTS: A COMPARISON**

	1970-71	1969-70	Difference
Total Cases	648	264	+ 384
Single	164	47	+ 117
Married	345	150	+ 195
Widowed	113	44	+ 69
Divorced	26	7	+ 19
			400

Note: 1969-70 - 16 cases where no information was available.
 (400 - 16 no information cases = 384)

14

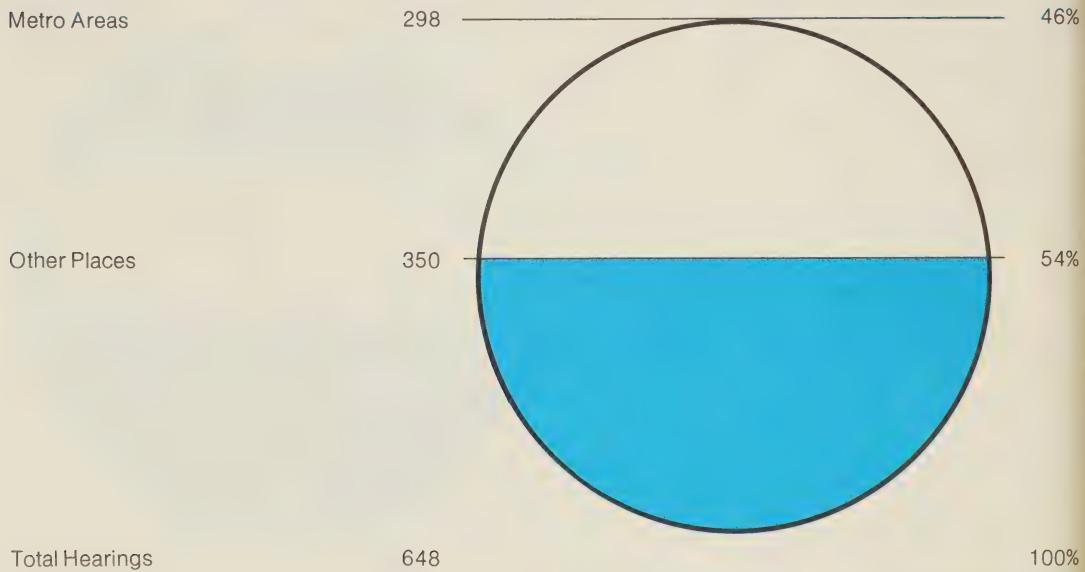
AGE GROUPS OF APPELLANTS 1970-71



15

AGE GROUPS OF APPELLANTS BY LEGISLATION 1970-71

	Total	Under 20	20-29	30-49	50-69	70 and over
Total	648	54	100	223	258	13
Family Benefits	305	8	19	89	183	6
General Welfare Assistance	324	42	76	127	72	7
Rehabilitation	19	4	5	7	3	-

LOCATION 1970-71 (The place of residence of the appellants)**LOCATION 1970-71** Residence in Metro Areas

Total Cases Heard	298	100%
Hamilton	15	5%
Kitchener	12	4%
London	7	2.3%
Ottawa	22	7.4%
Sudbury	10	3.4%
Toronto	221	74.2%
Windsor	11	3.7%

LOCATION 1970-71

Other Places than Metro areas

Total Cases Heard 350

	Totals		Totals		Totals
A.		Dryden	3	Kingston	6
Addison	1	Dundalk	2	Kingsville	2
Almonte	1	Dunnville	3	Kirkland Lake	2
Angus	1	Durham	2	Kinmount	1
Ansonville	1	Dwight	2	L.	
Apsley	1	E.		Lakefield	3
Athens	1	Eganville	1	Lake Wilcox	1
Aurora	1	Ennismore	1	Latchford	1
Aylmer	1	Elk Lake	1	Lindsay	1
B.		East Linton	1	Lucknow	1
Baldwin	1	F.		M.	
Barrie	4	Fenwick	1	Maidstone	1
Barry's Bay	6	Flesherton	1	Markdale	1
Bradbury	1	Flinton	1	Mattawa	1
Belleville	5	Forest	1	Maynooth	1
Blind River	2	Foresters Falls	1	Meaford	2
Boulter	1	Fort Erie	1	Melbourne	1
Bracebridge	1	G.		Merrickville	1
Brantford	6	Galt	1	Midland	1
Brighton	1	Gananoque	3	Milbrook	2
Brockville	2	Georgetown	1	Mitchell	1
Brooklin	1	Gloucester	1	N.	
Burlington	4	Golden Lake	1	Napanee	1
C.		Goderich	2	New Liskeard	1
Calabogie	1	Grimsby	1	New Lowell	1
Caledon	1	Guelph	5	Newmarket	2
Caledonia	1	H.		Niagara Falls	4
Campbellford	1	Hagar	1	North Augusta	1
Chatburn	1	Haileybury	1	North Bay	7
Chatham	1	Hanover	2	Norwood	6
Chelmsford	1	Harrow	3	O.	
Chepstow	1	Havelock	11	Oakville	3
Chesterville	1	Hillsburg	1	Odessa	4
Clarkson	1	Huntsville	1	Omemee	1
Clinton	1	I.		Orangeville	2
Cloyne	1	Iron Bridge	1	Orillia	2
Cobalt	3	Iroquois	2	Oro Station	1
Cobourg	1	K.		Oshawa	8
Cochrane	1	Kaladar	1	Owen Sound	2
Collingwood	2	Kapuskasing	3	P.	
Cookstown	1	Kenora	1	Paris	2
Copper Cliff	2	Keswick	2	Pearl	1
Cornwall	4	Killaloe	1	Pofferlaw	2
D.				Petawawa	1
Delhi	2				
Dorchester	1				

LOCATION 1970-71

Other Places than Metro areas (*continued*)

	Totals			Totals
Peterborough	24		U.	
Picton	2		Unionville	1
Plantagenet	1		Utterson	1
Port Carling	1		Uxbridge	3
Port McNicoll	1		V.	
Port Colborne	1		Vitorria	1
Port Dover	1			1
Port Perry	1		W.	
Port Stanley	2	40	Walkerton	1
Q.			Wallaceburg	3
Quadeville	1	1	Waterloo	1
R.			Watford	1
Renfrew	7		Welland	2
Ridgetown	1		West Hill	1
Ridgeway	1	9	West Lorne	1
S.			Whitby	3
St. Catharines	7		Wilberforce	1
St. Charles	1		Willow Beach	1
St. Thomas	2		Wingham	3
Sarnia	2		Woodstock	3
S.S. Marie	5		Warkworth	2
Seaforth	2		Wyebridge	1
Shanty Bay	1		Wyevale	1
Shelburne	2			26
Simcoe	1			
Smith's Falls	2			
Smithfield	1			
South Porcupine	1			
South River	1			
Spencerville	1			
Springfield	1			
Stouffville	2			
Sturgeon Falls	1			
Sunderland	2	35		
T.				
Tamworth	1			
Thamesville	2			
Thedford	1			
Thessalon	1			
Thunder Bay	6			
Timmins	5			
Tottenham	1			
Trenton	1			
Trout Creek	1	19		

Appendix 1

EXTRACT: FAMILY BENEFITS ACT

1968

a

11

1. There shall be a board of review that shall be composed of not more than such number of members as is prescribed by the regulations, who shall be appointed by the Lieutenant Governor in Council.

Board of review

2. One of the members of the board of review shall be appointed Chairman of the board of review and one or more other of the members of the board may be appointed by the Lieutenant Governor in Council to be vice-chairmen of the board.

Chairman and vice-chairman

3. The members of the board of review shall be paid such remuneration and expenses as the Lieutenant Governor in Council from time to time determines.

Remuneration

4. Each member of the board of review shall hold office for three years.

Term of Office

5. Three members of the board of review constitute a quorum and are sufficient for the exercise of all the powers of the Board.

Quorum

6. Such officers, clerks and servants as are from time to time deemed necessary by the Lieutenant Governor in Council for the proper conduct of the business of the board of review may be appointed under The Public Service Act, 1961-62.

*Staff
1961-62 c. 121*

7. Sittings of the board of review may be held at such places in Ontario and at such times as the board deems most convenient for the proper discharge and speedy dispatch of its business.

Sittings

11a

1. Any applicant or recipient may, by notice in writing served upon the chairman of the board of review, request a hearing and review by the board of a decision, order or directive of the Director affecting the applicant or recipient, as the case may be.

Review

2. Where a hearing and review are requested, the chairman of the board of review shall serve notice upon the applicant or recipient who requested the review notifying him of the time and place of the hearing.

Notice of hearing

3. Where a review is taken under this section, the board of review may by its order direct the Director to make such decision as the Director is authorized to make under this Act and as the Board deems proper, and thereupon the Director shall act accordingly.

Powers on review

4. Notice of the decision of the board of review shall be served forthwith upon the applicant or recipient who requested the review.

Notice of decision

11b

1. Where the board of review has reviewed a decision, order or directive and given its decision on the review, the applicant or recipient who requested the review may appeal on a question of law alone to the Court of Appeal.

Appeal on question of law

2. Every appeal shall be upon notice of motion served upon the chair-

Form of Appeal

man of the board of review within thirty days after the delivery of the notice of decision under subsection 4 of section 11a, and the practice and procedure in relation to the appeal shall be the same as upon an appeal from a report or certificate of a master of the Supreme Court.

3. The Chairman of the board of review shall certify to the Registrar of the Supreme Court,

- a) the decision, order or directive that has been reviewed by the board;
- b) the notice of the hearing before the board;
- c) the decision upon the review, together with the reasons therefor;
- d) any intermediate rulings or orders made in the course of the proceedings by the board; and
- e) all written submissions to the board and other material received by it in connection with the review.

Material on appeal

4. Where an appeal is taken under this section, the court may by its order direct the Director to make such decision as the Director is authorized to make under this Act and as the court deems proper, and thereupon the Director shall act accordingly.

Order for Director's decision

5. Notwithstanding the decision of the board of review or of the court, a further application for a benefit may be made by the applicant or recipient upon new or other evidence or where it is clear that material circumstances have changed.

Further application

Appendix 2

EXTRACT: FAMILY BENEFITS REGULATIONS

BOARD OF REVIEW

15

1. The board of review shall be composed of not more than ten members.

2. Where,

- a) the chairman of the board of review is absent or unable to act, a vice-chairman designated by the chairman; or
- b) the office of the chairman of the board of review is vacant, a vice-chairman designated by the Minister, has and shall exercise the jurisdiction and power of the chairman, including the power to complete any unfinished matter.

3. Subject to subsection 4, a request for a hearing and review shall be made by an applicant or recipient in duplicate in Form 6 within thirty days of the decision, order or directive to be reviewed.

4. The period of limitation in subsection 3 does not apply to a request for hearing and review of any decision, order or directive made by the Director on or after the 28th day of March, 1968, but before this section, as remade, came into force.

5. Copies of Form 6 may be obtained from the Director by any applicant or recipient on request therefor.

6. The Director at the request of the chairman shall send to the board

of review a written report pertaining to the decision, order or directive to be reviewed.

7. Within fourteen days following a receipt of a notice in Form 6 the chairman of the board of review shall send to the Director a copy of the notice and a copy of the notice of the time and place of the hearing.

8. Service of the notice of the time and place of the hearing and review shall be sent by registered mail to the applicant or recipient at the address shown on the notice respecting the hearing and review.

9. Subject to subsection 6 of section 15a, the board of review may adjourn the hearing from time to time after giving to the parties reasonable notice of the adjournment and of the time and place of the new hearing.

10. An applicant or recipient may at any time before the hearing withdraw his request for the hearing and review by notifying the chairman of the board of review in writing.

15a

1. The chairman may authorize one member of the board of review to conduct the hearing and to report to the board and such member has all the powers of the board for the purpose of such hearing.

2. The report of such member may be adopted as the decision of the board of review by two or more other members of the board, or may be otherwise dealt with as the board deems proper.

3. If, after receiving due notice, the applicant or recipient requesting the review does not attend the hearing, the board of review may proceed in his absence and he shall not be entitled to further notice of any future proceedings by the board.

4. All hearings of the board of review shall be held *in camera*.

5. The Director or his representative shall be given an opportunity at the hearing to give reasons for the decision, order or directive being reviewed.

6. The board of review shall reach a decision according to the evidence within a period not exceeding forty days from the date that the notice in Form 6 was received by the chairman of the board.

7. The notice of decision of the board of review shall include,

- a) the principal findings of fact on the evidence officially noticed; and
- b) the conclusions based on the findings of fact.

15b

a decision of the Director made pursuant to the direction of the board of review or the Court of Appeal shall take effect from the date of his original decision, order or directive, as the case may be, that was the subject of the review or appeal.

Appendix 3

EXTRACT: GENERAL WELFARE ASSISTANCE ACT

7d

1. In this section, “welfare administrator” means municipal welfare administrator or regional welfare administrator, as the case may be.
2. Any applicant or recipient affected by a decision, order or directive made under this Act or the regulations by a welfare administrator, in respect of the payment of a class of assistance prescribed as general in the regulations, may request a hearing and review of the decision, order or directive by the board of review appointed under The Family Benefits Act, 1966.
3. The provisions of The Family Benefits Act, 1966 relating to the powers, duties and procedures of the board of review appointed under that Act, and relating to procedure on appeals therefrom to the Court of Appeal, apply mutatis mutandis to a hearing and review by the board under this Act.

Welfare Administrator defined

1966, c. 54

Provisions of 1966, c. 54 to apply

Appendix 4

EXTRACT: VOCATIONAL REHABILITATION SERVICES ACT

8

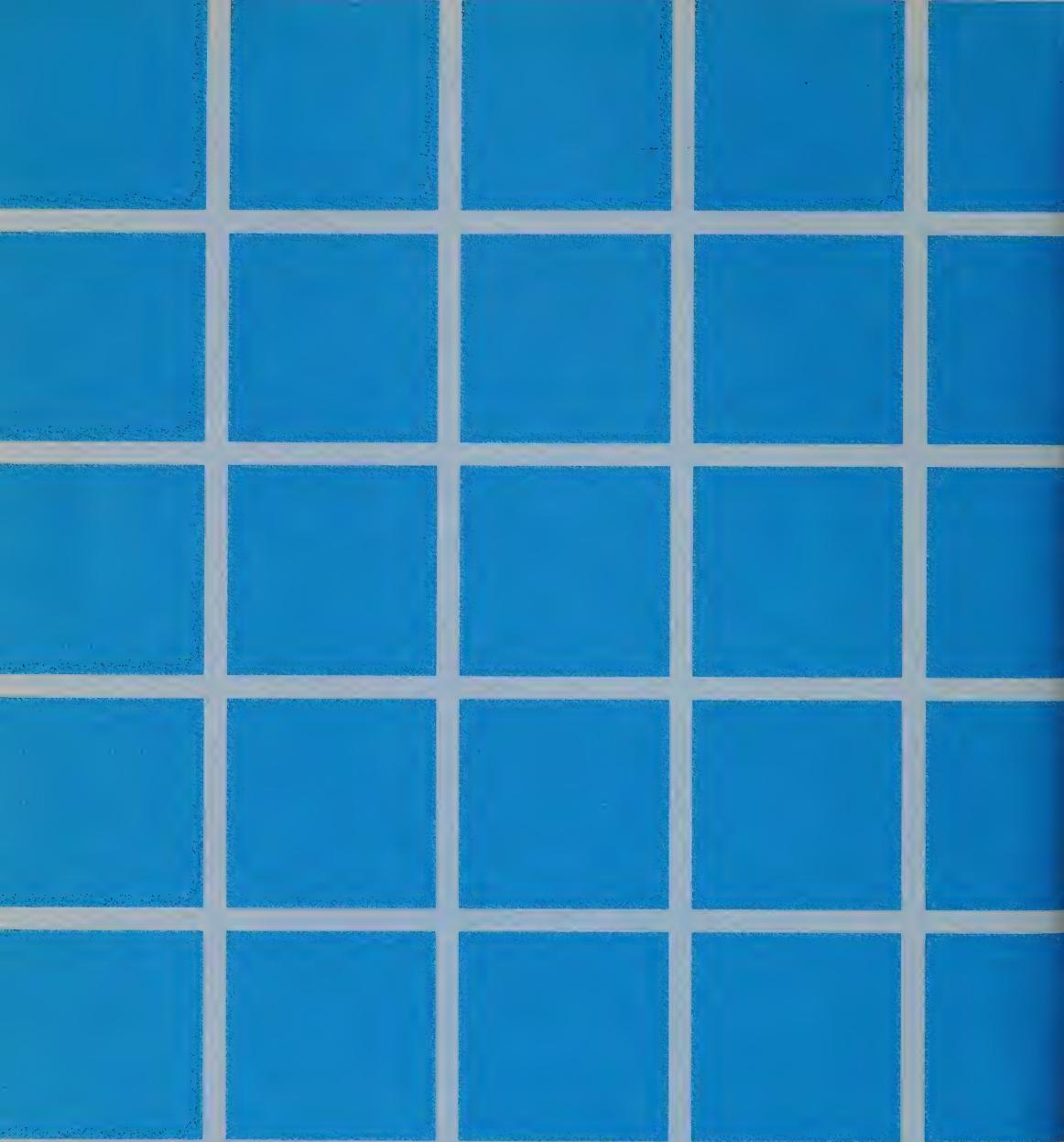
1. Any applicant for or recipient of vocational rehabilitation services may request a hearing and review by the board of review appointed under The Family Benefits Act, 1966 of a decision, order or directive of the Director affecting the applicant or recipient as the case may be.
2. The provisions of The Family Benefits Act, 1966 relating to the powers, duties and procedures of the board of review appointed under that Act, and relating to procedure on appeals therefrom to the Court of Appeal, apply mutatis mutandis to a hearing and review by the board under this Act.
3. Where a hearing and review are requested, the board of review shall hold a hearing and may by its order direct the Director to make such decision as the Director is authorized to make under this Act and as the board of review deems proper, and thereupon the Director shall act accordingly.
4. The order of the board of review is final, but a further application for vocational rehabilitation services may be made by the applicant upon new or other evidence or where it is clear that material circumstances have changed. New.

*Application for review
Amended in 1968, 1966, c.54*

Provisions of 1966, c.54 to apply

Powers on review

Order final

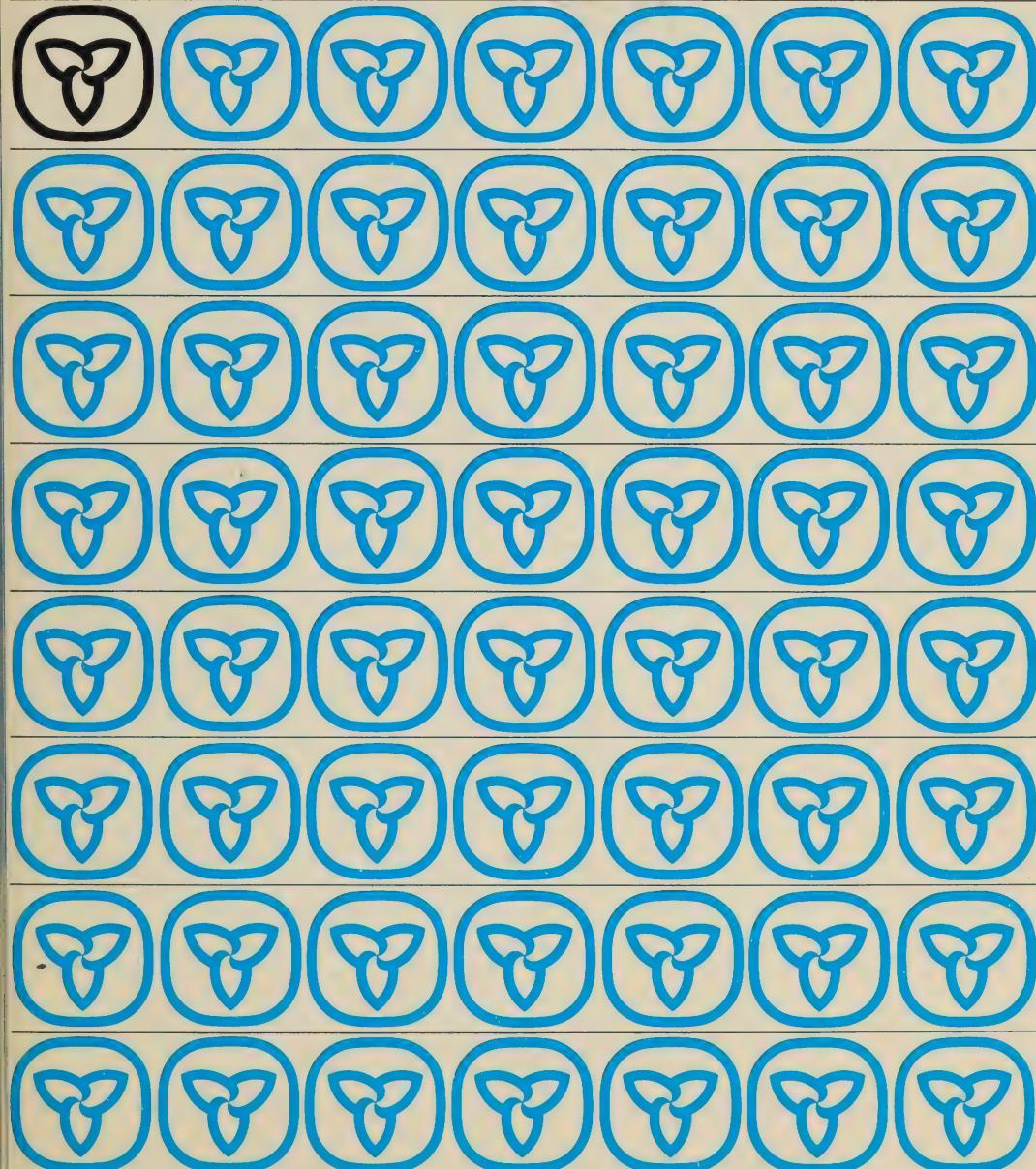
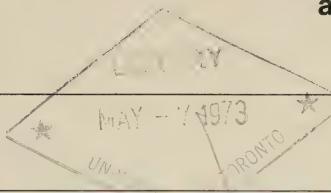


Annual Report
of the Chairman

Board of Review
1971-1972

Department of Social
and Family Services

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SPEECH
- 75

**Ontario Ministry Of Community
And Social Services**



Board of Review
Queen's Park, Toronto 182

September 13th, 1972.

The Honourable Rene Brunelle,
Minister of Community and Social Services.

Sir:

I have the honour to submit for your approval
the Report of the Board of Review, of the Ministry of
Community and Social Services.

This Report covers the Fiscal Year ending
March 31, 1972, and is respectfully submitted.

Your obedient servant,

A handwritten signature in black ink, appearing to read "James S. Band".
James S. Band,
Chairman

Board members

Contents

Chairman

James S. Band

Vice-Chairmen

Miss Robena J. Morris

Mr. Henry J. Price

Members

Mr. Earl Armstrong

Mr. James Ballantyne

Mrs. Norma Brown

Mr. Leonard H. Ellins

Miss Dolores Parent

Mr. Lionel Vaillancourt

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Purpose

Appeals increased significantly during the third year in which the Board of Review has been in operation. In the past year 1330 cases were formally heard as compared with 264 in 1969-1970.

The functions of the Board are concerned with the eligibility of an applicant for assistance; the amount for which he is eligible; the finding of circumstances of applicants for and in receipt of payments; and, the ordering of suspension, cancellation or variation in payment. The administration of the three Acts cited is the responsibility of the Ministry of Community and Social Services, municipalities also being involved in the case of The General Welfare Assistance Act.

The purpose of the Board is to afford and to ensure a fair hearing to anyone applying for or receiving assistance under the three Acts. In general, the Board is expected to guarantee that the applicant receives every reasonable attention.

Volume and nature of appeals

Many appeals are acted upon without a formal hearing; 323 cases, or 19.5 percent in the year under discussion. If inquiries were added, the volume would be greatly increased. In fact, the total number of correspondents is approximately five times the number of cases dealt with without a hearing. Preliminary treatment of individual problems frequently turns up additional information which can be used constructively to resolve the difficulty. Many adjustments and referrals are arranged. A variety of helpful resources are available through municipal, provincial and federal governments as well as in the non-governmental sector.

Number of Appeals (April 1, 1971—March 31, 1972)

Total Appeals	1654	100.0%
Decision Made	1330	80.4%
Appeal Withdrawn	323	19.5%
Decision Pending	1	.1%

In requesting a review a simple form is used by the applicant describing his concern. This is submitted to the Chairman of the Board. The application is acknowledged and, if a review is indicated, a convenient time and place are proposed. Frequently the hearing is held in the home of the applicant. He may bring a friend or other person of his choice with him to the hearing. Information concerning the applicant's situation, including any official report on the case, is available at the time of the hearing. The primary objective of the hearing is to gain from the applicant a true appreciation of his situation and, in this manner, to consider how best, within the legislation and its administration, justice can be assured.

Civil rights

The thinking of the McRuer Commission on Civil Rights has been a dominant influence in the operation of this Board. The McRuer Commission set the stage, so to speak, for the Board's overall activity, and it has consistently endeavoured to carry out the Commission's proposals. It continues in the same spirit under the new Statutory Powers Procedures Act and The Civil Rights Statute Law Amendment Act of 1971. These Acts effective on April 17, 1972 point up attitudes and practices which the Board of Review already followed as a matter of preference and conviction.

From the outset, where any individual has a concern, the Board has emphasized both the opportunity and the right to appeal. It has also sought to facilitate the appeal process regardless of circumstances, including geographic location, language facility or condition of health. The Board makes every effort to enable the applicant to describe his problem and to discuss his situation freely and fully. An attempt is made to avoid setting up anything resembling a formal adversary approach.

A new pamphlet entitled "You Can Appeal!" has been prepared by the Communications Branch and will shortly be distributed to describe the purpose of the Board. The language employed avoids legal terminology and is meant for the use of the public, particularly recipients or potential recipients of assistance under Family Benefits, Vocational Rehabilitation Services and General Welfare Assistance Acts as recently amended to incorporate the Ontario Civil Rights legislation.

Efficiency

It will be seen in Table 16 that two-thirds of all decisions were rendered within the stated 40 days. It is desirable in many instances to shorten the period of decision. This Board's record is in favourable contrast to the record shown in official reports of other jurisdictions, especially in some states of the United States of America.

Chiefly where there have been delays they have been the result, for example, of adjournments made necessary by the inability of the appellant to attend. Frequently because of illness or absence from the locality a re-scheduling of a hearing is required. On other occasions, because of the time it takes to assemble information, particularly where it must be supplied to the Board by some other party involving legal, medical, credit or other specialist opinion, delays have occurred. Administrative accommodation to some of the new procedures under The Statutory Powers Procedures Act has introduced some temporary adjustments in timing. Other conditions, such as the weather, a severe snow storm, for example, or a postal strike, may complicate the whole process.

After a hearing has been held and a decision reached, it is quite possible that there have been changes in circumstances to warrant a new hearing. While such cases are infrequent, a Board is always available to re-hear a case if there is any chance of error or, if pertinent, new information has come to hand.

To avoid or reduce discontinuity in financial assistance during the period of the review, it is common practice to arrange for temporary assistance to be granted to appellants until such time as a formal decision has been rendered. Most municipalities recognize this as firm practice in the majority of appealing cases. It would be helpful if the Board itself were to have some discretion to ensure that assistance is continued (where there is apparent need) until a decision is reached.

The Board functions within the terms of the Statutes. Where, for instance, the amount of assistance is clearly set forth by Statute, the Board has no right to alter the amount of the allowance. If, however, there have been administrative errors as, for example, an

error in applying the formula and calculating the benefit, whether the result has been the provision of assistance below or above the standard set, the Board has the responsibility to have this corrected. Where special care is involved as, say, in the provision of eyeglasses, hearing aids, drugs and such, where legislation stops short of mandatory regulations, the Board is restricted in its powers. As a matter of practice, in the majority of cases when such problems occur, appropriate steps are taken to arrange these types of assistance with the municipality.

Inevitably some cases and some Board decisions are contentious. For this as well as for other reasons, any decision by the Board may be appealed by any interested party. Both parties are advised on each Notice of Decision sent by the Board as the following Section is always quoted:

“13 (1) Any party to the proceedings before the Board of Review under Section 12 may appeal the decision of the Board to the Supreme Court on a question that is not a question of fact alone in accordance with the rules of the court.”

Trends in appeals

The series of Tables and Charts included in this Report follow much the same pattern as in the last report of the Board of Review. Although probably it is too early to expect to discern trends, it would seem that the following comments might be justified.

What stands out most prominently in the statistical data included in this Report is the steady and substantial increase in the volume of appeals addressed to the Board of Review. The increase over the full three-year period goes beyond 200%. It seems obvious that this acceleration will continue in the coming year.

Appeals granted in full and/or in part show a decline over the three-year period. This is significant in pointing up the development of greater understanding of review procedures on the part of the administrators. As has been mentioned, preliminary informal exploration frequently clears the matter up satisfactorily.

The consistent increase in the percentage of Decisions Made in relation to Total Appeals Received — from 52.4% in the first year of the Board's existence to 80.4% in 1971-1972 — is a clear indication that the true purpose of the Board is being better understood and that informal and more routine complaints are being directed appropriately elsewhere, Table 1.

It is of interest that the level in the percentage of appeals has remained fairly constant as between the three programs for which appeals are here provided, Table 10.

Tables 4 and 5 hold special interest. They point up the reason for appeals. As in previous years the bulk of appeals has to do with "refusal, cancellation, suspension or reduction" of assistance under the three Acts: Family Benefits, General Welfare Assistance and Rehabilitation. In 10 percent of the appeals heard last year, however, "other reasons" account for the appeal.

The question arises, "What types of appeal are being heard?" The following may be cited by way of illustration:

- conflicting views on the part of medical and other responsible officials in determining disability with reference to employability;
- failure, for whatever reason of a sponsor to maintain a sponsored immigrant;
- problems arising where common-law association complicates lines of family responsibility;
- the inclusion of property other than residence in assessing assets;
- insufficient income where the family breadwinner is fully employed;
- inadequate, unsanitary and uneconomical shelter;
- refusal to accept employment or re-training on the part of an employable unemployed person;
- inconsistencies on the part of some municipalities in providing supplementary or special assistance;
- non-payment of support, ordered by the court, on the part of husbands who have separated or deserted.

Social and economic factors

Many of these cases are directly related to conditions in the labour market. In a goodly number of cases the Board deals with appellants who will not likely appear in the labour force in the foreseeable future. Their disabilities are so substantial, psychologically if not physically, that employment is out of the question. Considerable time, effort and expense could be avoided on the part of all parties concerned if more adequate criteria were developed for use by medical and other bodies in judging employability.

Questions raised

Serious and highly complex questions are faced by the Board in attempting to deal with many of these cases. Statutes and regulations now in force were designed before certain conditions in the current employment situation developed. For instance, what about accepting employment where such produces less family income than applying for and receiving welfare? How does a minimum wage affect this relationship? How are unemployment insurance and general welfare assistance to be kept in realistic alignment? What about the implications of women, particularly mothers, entering the labour market in increasing numbers in a time of widespread unemployment? What can be done to ensure effective co-operation between the fields of manpower, initial training, job-retraining and the social services?

In its deliberations the Board is conscious of its responsibility to serve the public as well as the client. It is often quite difficult to achieve a balance between the rights of the individual and the rights of society. For example, the sponsorship of an immigrant may break down and under The Immigration Act a sponsored immigrant can be deported. Similar problems occur with visitors to the country and to the province. Until clearer guidelines are developed, the Board operates under a handicap in this area.

Considerations of many forms of assistance enter Board discussions. For example, in cases where it is known for certain that the individual is shortly to receive funds — automobile insurance settlement, workmen's compensation or unemployment insurance — and that the problem is strictly of an emergency nature, interim payments are arranged. It has occurred to the Board that municipalities might by legislation be authorized in such cases to provide recoverable advances pending the client's receipt of expected funds. As a matter of practice municipalities provide recoverable funds.

In retrospect

Another somewhat more serious situation may be illustrated by widows up to age 60 who, in recent years, have not been in the labour market. These women may have received Family Benefits as mothers while maintaining children through the school years. Because the children are now not eligible, these women have lost their chief income security and are frequently required to apply for municipal assistance before age 60. Meanwhile, their household and shelter commitments are unchanged, and represent their major assets.

Legislation establishing the Board of Review was designed to implement the recommendations of the McRuer Commission. Chiefly what was recommended and has now been enacted are Regulations that make explicit and mandatory arrangements and procedures already operative within the structure and activities of the Board. Happily what legal refinements now come into effect reiterate and reinforce the Board's role as a kind of collective ombudsman with the accent on helpfulness to all concerned.

It is abundantly clear that money is not the answer in many instances. Continuing attention and a helping hand are needed in dealing with people coming to the attention of the Board. They are not always or mainly related to money matters. Frequently when all the facts are in it becomes apparent that the major need in a given instance may be for transportation, nursing care, some new form of medical attention, even Meals on Wheels. Without neglecting its terms of reference the Board usually is able to make the necessary referrals in such cases.

The members of the Board are appreciative of the staff in carrying out the terms of the legislation and, in particular, the services of the Executive Secretary and the Executive Assistant in dedication to their duties. The Provincial Government and the municipalities, deserve every credit for their helpfulness in facilitating the work of the Board.

Statistical tables

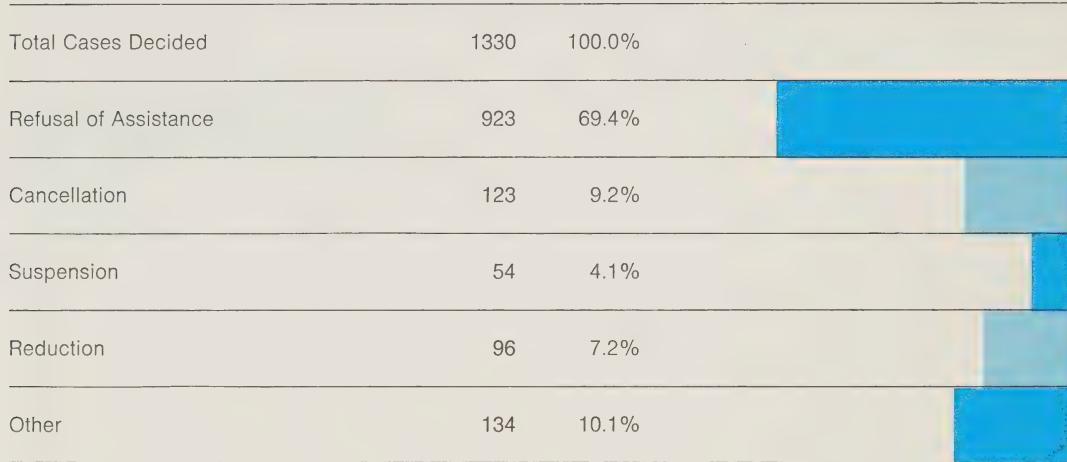
Table 1 Number of appeals

(April 1, 1971 — March 31, 1972)

Total Appeals	1654	100.0%	
Decision Made	1330	80.4%	
Appeal Withdrawn	323	19.5%	
Decision Pending	1	.1%	

Table 2 Legislation

Total cases decided	1330	100.0%	
Family Benefits	644	48.4%	
General Welfare Assistance	658	49.5%	
Rehabilitation	28	2.1%	

Table 3 Purpose of appeal**Table 4 Purpose for appeal by programs**

	Refusal	Cancellation	Suspension	Reduction	Other
Family Benefits	644	538	13	16	32
General Welfare Assistance	658	360	108	37	64
Rehabilitation	28	25	2	1	—
Total	1330	923	123	54	96

Table 5 Other than regular reasons for appeal

Note: The 14 other reasons are: Inconsistency in payment of allowance; fear of potential cancellation of allowance; cost of home improvement; request of retroactive payment; delayed decision on allowances;

objections against the allowance being administered; cost of transportation; request of payments while the Unemployment Insurance Benefits are pending; special health expenditure.

Table 6 Decisions of cases

All cases	1330	100.0%	
Appeal granted in Full	347	26.1%	
Appeal granted in Part	51	3.8%	
Appeal Denied	932	70.1%	
Supplementary Measures Recommended	118	8.9% of all cases	

Table 7 Decision by legislation

		Appeal Granted in Full	Appeal Granted in Part	Appeal Denied	Supplementary Measures Recommended
Family Benefits	644	219	14	411	73
General Welfare Assistance	658	122	35	501	43
Rehabilitation	28	6	2	20	2
Total	1330	347	51	932	118

Table 8 Distribution by sex

Total Cases	1330	100.0%	
Male	773	58.1%	
Female	557	41.9%	

Table 9 Sex by legislation

	Male	Female
Family Benefits	644	309
General Welfare Assistance	658	238
Rehabilitation	28	10
Total	1330	557

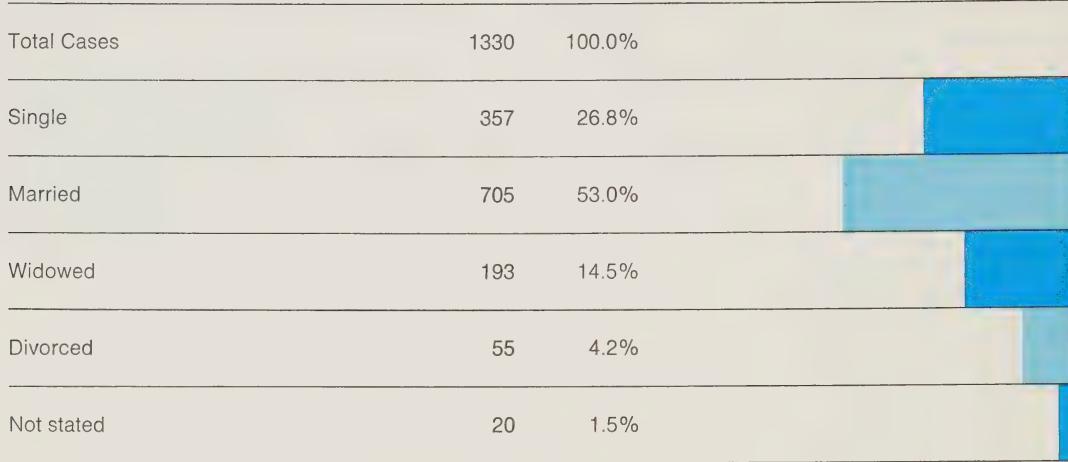
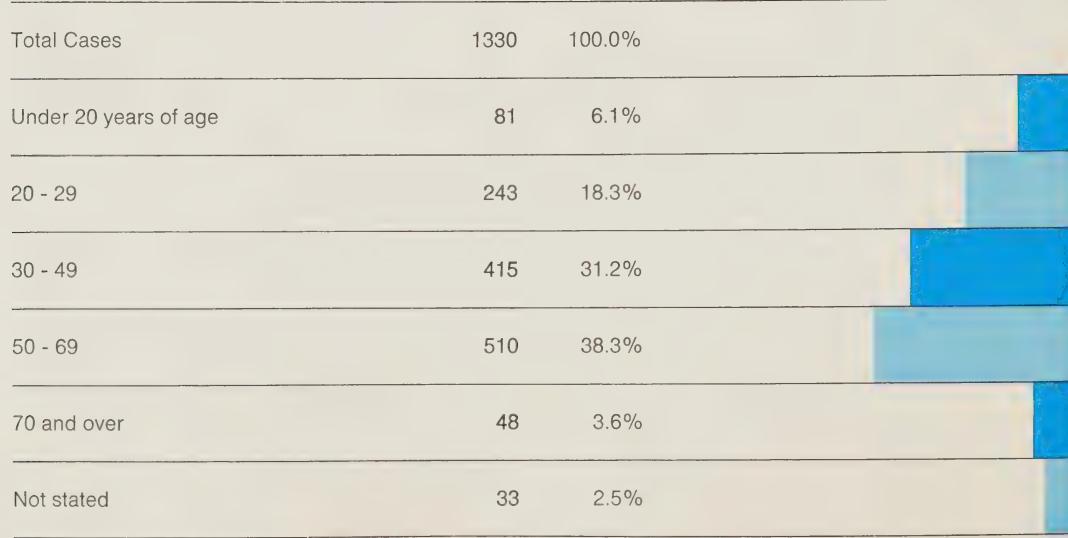
Table 10 Family status**Table 11 Age groups**

Table 12 Age groups by legislation

	Total	Under 20	20-29	30-49	50-69	70 and over	Not stated
Family Benefits	644	6	43	187	377	28	3
General Welfare Assistance	658	73	180	223	132	20	30
Rehabilitation	28	2	20	5	1	—	—
Total	1330	81	243	415	510	48	33

Table 13 Location

(The place of residence of the appellants)

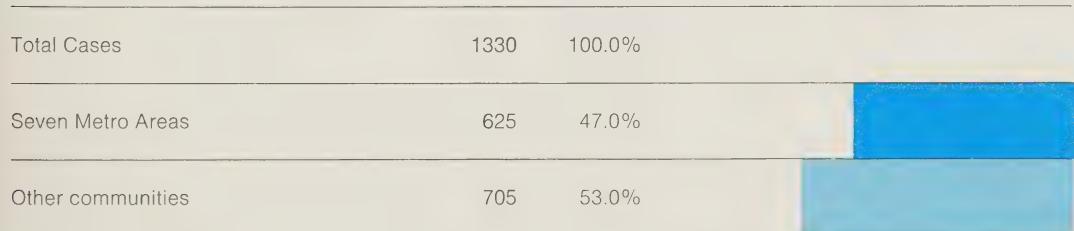


Table 14 Location

Residence of the appellants in Metro Area

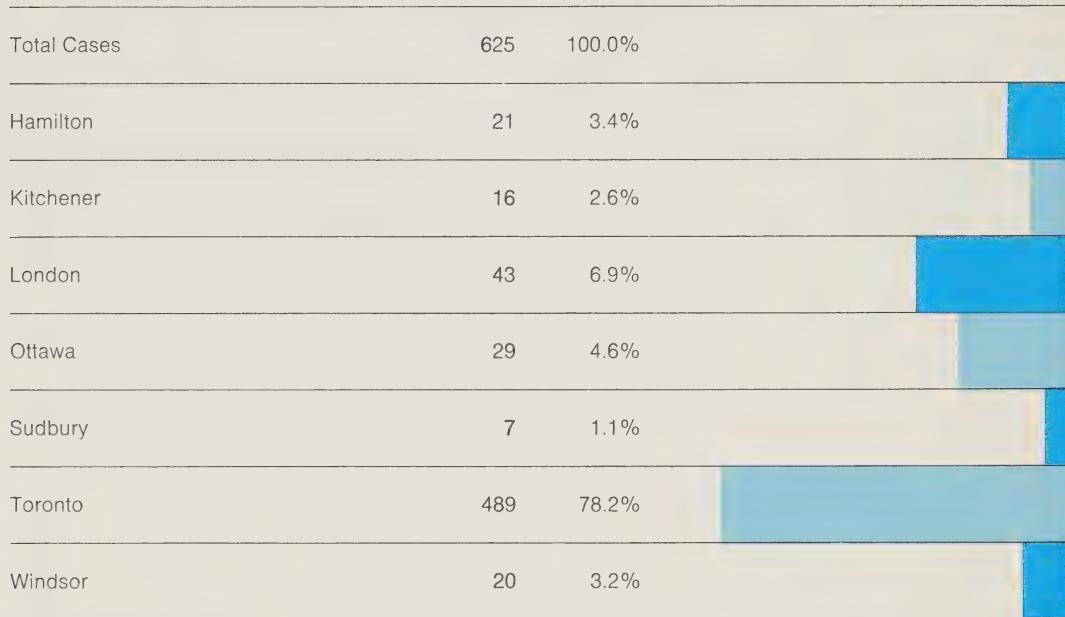
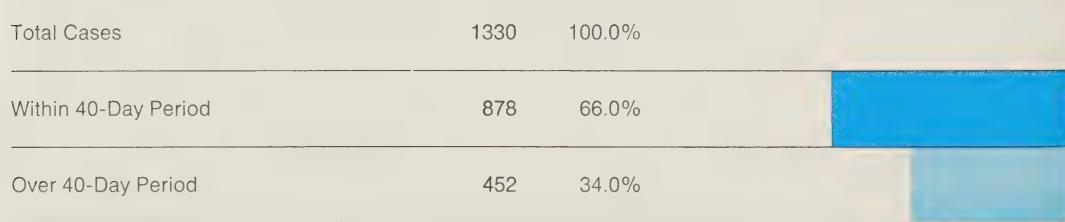
**Table 15 Time elapsed in hearings****Note:** 40 Days after receiving Form 6

Table 16 Location

Residence of the appellants in other communities

Location	Total	Location	Total
Acton	2	Burlington	6
Agincourt	1	Burk's Falls	1
Ailsa Craig	1	Caledonia	2
Ajax	1	Callander	3
Alban	1	Cambray	1
Alexandria	6	Caniston	1
Alfred	1	Cardinal	1
Alliston	2	Carleton Place	1
Alma	1	Cavan	1
Almonte	1	Cayuga	4
Alvinston	1	Chapleau	2
Apple Hill	1	Chatsworth	1
Amherstburg	3	Chatham	6
Ashburn	1	Chelmsford	2
Athens	1	Churchill	1
Atwood	1	Clarksburg	1
Aurora	3	Clifford	1
Ayton	3	Cobden	1
Badjeros	1	Coboconk	2
Baldwin	1	Cobourg	2
Bancroft	1	Cochrane	7
Barrie	4	Colborne	1
Barriefield	1	Coldwater	1
Barry's Bay	2	Collingwood	6
Battersea	1	Combermere	1
Bath	2	Conn	1
Baysville	1	Cookstown	1
Beaverton	1	Coppercliff	1
Belle Ewart	1	Cornwall	7
Belleville	3	Cotham	1
Belle River	2	Courtland	1
Belwood	1	Creemore	2
Blenheim	1	Croton	2
Blind River	2	Dalkeith	1
Bolton	1	Delaware	2
Bonfield	1	Deloro	1
Bowmanville	1	Denbigh	3
Brampton	1	Deseronto	1
Brantford	16	Dorchester	1
Brigden	1	Dresden	1
Brockville	4	Dryden	1

Table 16 continued

Location	Total	Location	Total
Dundalk	3	Hespeler	1
Dunnville	3	Holland Landing	1
Duntroon	1	Holstein	1
Durham	3	Ignace	2
Eagle River	1	Indian River	2
Eganville	8	Ingleside	1
Elgin	1	Ingersoll	1
Elmvale	1	Iroquois	3
Elmwood	1	Iroquois Falls	1
Emo	1	Jackson's Point	6
Englehart	2	Jarvis	1
Erinsville	1	Jogues	1
Espanola	1	Kapuskasing	3
Essex	2	Kearns	2
Fauquier	2	Kempville	1
Fenelon Falls	1	Kenora	1
Fergus	1	Keswick	5
Finch	1	Killaloe	4
Fingal	1	King	1
Flesherton	2	King Kirkland	1
Forest	2	Kingston	11
Forrest Falls	2	Kingsville	1
Fort Erie	3	Kirkfield	1
Frazerville	1	Kirkland Lake	9
Fruitland	1	Lakefield	3
Galt	1	Lancaster	1
Gananoque	1	Larder Lake	2
Golden Lake	1	Leamington	6
Grimsby	1	Lindsay	11
Guelph	3	Little Britain	1
Hagar	1	Londesborough	1
Haileybury	1	Long Sault	3
Haley Station	1	L'Orignal	1
Haliburton	1	Lowbanks	2
Hanover	3	Lucknow	3
Harriston	2	Lunnenberg	2
Harrow	1	Lynn	1
Havelock	4	McGregor	1
Hawkestone	1	McKerrow	1
Hearst	11	Maitland	1
Hepworth	1	Maple Leaf	1

Table 16 continued

Location	Total	Location	Total
Markdale	3	Palmerston	1
Marathon	1	Parry Sound	5
Marmora	2	Pefferlaw	6
Merrickville	1	Pembroke	6
Matheson	2	Penetanguishene	4
Mattawa	7	Perth	1
Mattice	3	Perth Road	1
Meaford	1	Peterborough	2
Midland	4	Pinewood	1
Milton	1	Plevna	2
Mitchell	1	Port Dover	2
Mississauga	8	Port Hope	1
Moonbeam	1	Port Lambton	1
Moose Creek	2	Port Stanley	1
Mountain Grove	1	Prescott	3
Mount Brydges	1	Preston	1
Mount Forest	3	Priceville	2
Nairn Centre	1	Quadeville	1
Neustadt	3	Rainy River	1
Newburgh	1	Ramore	1
New Liskeard	3	Reaboro	1
New Lowell	1	Redbridge	1
Newmarket	3	Renfrew	12
Niagara Falls	4	Richmond Hill	2
Nipissing	2	Ridgeway	1
North Bay	6	River Canard	2
Norwood	2	Riverdrive Park	1
Oak Ridges	1	Rockland	1
Oakville	5	Roseneath	1
Odessa	3	St. Catharines	5
Ohsweken	1	St. Charles	1
Omemee	2	St. Clair Beach	1
Opasatika	2	St. Thomas	6
Orillia	17	Sarnia	4
Orleans	1	Sault Ste. Marie	9
Oshawa	14	Severn Bridge	1
Otterville	1	Shakespeare	1
Owen Sound	18	Shannonville	1
Paincourt	1	Shedden	1
Paisley	1	Shelbourne	1
Palmer Rapids	1	Simcoe	3

Table 16 continued

Location	Total	Location	Total
Singhampton	1	Wasaga Beach	2
Smithfield	1	Washago	1
Smith's Falls	3	Waterford	2
Smith Woodslee	1	Waterloo	1
Snow Road	1	Watford	1
Sombra	1	Waubaushene	1
South Porcupine	2	Welland	10
South River	1	West Hill	1
Spanish	2	Westneath	1
Spragge	1	Wheatley	1
Stayner	2	Whitby	11
Stoney Creek	1	Whitefish	1
Stratford	4	Wiarton	1
Strathroy	2	Williamstown	1
Streetsville	4	Willow Beach	1
Strickland	2	Windham Centre	1
Stroud	2	Wingham	2
Sturgeon Falls	2	Woodford	1
Sunderland	1	Woodstock	1
Sutton West	2		
Swastika	1		
Tara	3	Total Cases heard	705
Tamworth	2		
Tarzwell	1		
Terra Cotta	1		
Thamesville	2		
Theford	2		
Thornbury	1		
Thornhill	1		
Thorold South	1		
Thunder Bay	7		
Timmins	4		
Trenton	3		
Troy	1		
Tunis	1		
Uxbridge	1		
Utopia	1		
Val Caron	1		
Victoria Harbour	2		
Virginiatown	1		
Wallaceburg	1		

Table 17 Comparison of decisions (percentage)

Fiscal Year:	1969/1970	1970/1971	1971/1972
Total	100.0%	100.0%	100.0%
Appeal granted in full	47.0	29.5	26.1
Appeal granted in part	—	5.2	3.8
Appeal denied	53.0	65.3	70.1

Table 18 Decisions by years (percentage of appeals)

Fiscal Year:	1969/1970	1970/1971	1971/1972
Total number of appeals	504	878	1654
Total number of decisions	264	648	1330
Percent	52.4	73.8	80.4

Table 19 Programs by comparison (percentages)

Fiscal Year	1969/1970	1970/1971	1971/1972
Total	100.0%	100.0%	100.0%
Family Benefits	48.9%	47.2%	48.4%
General Welfare Assistance	49.6%	50.0%	49.5%
Rehabilitation	1.5%	2.8%	2.1%

**Table 20 Numerical and percent growth
of appeals 1969/70-1971/72**

Fiscal Year:	Total Number of Appeals	Annual Increase		Year 1971/72 Compared with 1969/70	
		Numbers	Percent	Numbers	Percent
1969/1970	504	—	—	—	—
1970/1971	878	374	74.2%	—	—
1971/1972	1654	776	88.4%	1150	228.2%

Appendix 1

Extract: Family Benefits Act

Board of review

11. (1) There shall be a board of review that shall be composed of not more than such number of members as is prescribed by the regulations, who shall be appointed by the Lieutenant Governor in Council.

Chairman and vice-chairmen

(2) One of the members of the board of review shall be appointed by the Lieutenant Governor in Council to be chairman of the board of review and one or more other of the members of the board may be appointed by the Lieutenant Governor in Council to be vice-chairmen of the board.

Remuneration

(3) The members of the board of review shall be paid such remuneration and expenses as the Lieutenant Governor in Council from time to time determines.

Term of office

(4) Each member of the board of review shall hold office for three years.

One or more members may conduct hearing

(5) The chairman of the board of review may authorize one or more members of the board to conduct a hearing and such member or members has or have all the powers of the board for the purpose of such hearing and any decision of such member or members shall be a decision of the board.

Staff — R.S.O. 1970, c.38

(6) Such officers, clerks and servants as are from time to time considered necessary by the Lieutenant Governor in Council for the proper conduct of the business of the board of review may be appointed under The Public Service Act.

Sittings

(7) Sittings of the board of review may be held at such places in Ontario and at such times as the board considers most convenient for the proper discharge and speedy dispatch of its business.

Review

12. (1) Where an applicant or recipient files a request for a hearing in accordance with section 10c, the board of review shall fix a time for and hold a hearing to review the decision of the Director.

Parties

(2) The Director, the applicant or recipient who requested the hearing and such other persons as the board may specify are parties to the proceedings before the board of review.

Hearings in camera 1971, c. 47

(3) Notwithstanding The Statutory Powers Procedure Act, 1971, all hearings of the board of review shall be heard in camera.

Members holding hearing not to have taken part in prior consideration of matter

(4) Subject to subsection 5, members of the board holding a hearing,

(a) shall not have taken part in any investigation or consideration of the subject-matter of the hearing prior to the hearing; and

(b) shall not communicate directly or indirectly in relation to the subject-matter of the hearing with any person or with any party or his representative except upon notice to and opportunity for all parties to participate.

Legal advice

(5) The board of review may seek legal advice from an adviser independent from the parties, and members of the board may at any time consult with other members of the board.

Submission by Director

(6) The Director may make his submissions at a hearing of the board of review in writing, but the applicant or recipient who is a party to the hearing shall be afforded an opportunity to examine before the hearing any such submission or any written or documentary evidence that the Director proposes will be produced or any report the contents of which the Director proposes will be given in evidence at the hearing.

Recording of evidence

(7) The oral evidence taken before the board of review at a hearing shall be recorded,

(a) by notes taken by or under the supervision of the members of the board conducting the hearing; or

(b) in such other manner as such members may direct, in which case copies of a transcript shall, on request, be furnished upon the same terms as in the Supreme Court.

Findings of fact — 1971, c.47

(8) The findings of fact of the board of review pursuant to a hearing under this section shall be based exclusively on evidence admissible and facts of which notice may be taken under sections 15 and 16 of The Statutory Powers Procedure Act, 1971.

Only members at hearing to participate in decision

(9) No member of the board of review shall make any decision of the board pursuant to a hearing under this section unless he was present throughout the hearing and heard the evidence and argument of the parties and, except with the consent of the parties, no decision of the board shall be given unless all members so present take part in the decision.

Powers of board after hearing

(10) Where, after a hearing, the board of review has reviewed the decision of the Director, the board may,

(a) affirm the decision;

(b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or

(c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the regulations,

and the Director shall give effect to any directions given by the board under this section.

Variation of decision by board

(11) The board of review may, on application of any parties, reconsider and vary any decision made by it after hearing the parties to the proceedings in which the original decision was made, and the provisions of this section, except subsection 4, apply mutatis mutandis to the proceedings on such reconsideration.

Appeal to court

(13. (1) Any party to the proceedings before the board of review under section 12 may appeal from the decision of the board to the Supreme Court on a question that is not a question of fact alone in accordance with the rules of court.

Record to be filed in court

(2) Where any party appeals from a decision of the board of review, the board shall forthwith file with the Registrar of the Supreme Court the record of the proceedings before it in which the decision was made which, together with the transcript of the evidence, if any, before the board if it is not part of the board's record, shall constitute the record in the appeal.

Minister entitled to be heard

(3) The Minister is entitled to be heard by counsel or otherwise upon the argument of an appeal under this section.

Powers of court on appeal

(4) On an appeal under this section, the court may affirm the decision of the board of review or may rescind it and refer the matter back to the board or to the Director to be disposed of in accordance with such directions as the court considers proper under this Act and the regulations, and the board or the Director shall give effect to any direction given by the court under this section.

Appendix 2

Extract: Family Benefits Regulations

Effect of decision pending disposal of appeal

13a. Notwithstanding that an applicant or recipient has requested a hearing by the board of review under section 12, or has appealed from a decision of the board under section 13, the decision of the Director or of the board, as the case may be, is effective until the decision of the board is made after the hearing or the decision of the court is made on the appeal, as the case may be.

Recovery of over-payments, etc.

13b. Notwithstanding section 5 and subject to the regulations, the Director may recover from a recipient any sum paid to him by way of an allowance under this Act or any predecessor Act mentioned in subsection 1 of section 16 to which he was not entitled under this Act or such predecessor Act or in excess of any amount to which he was so entitled, whether by reason of non-disclosure of facts, misrepresentation of fraud, or for any other cause disentitling him to such an allowance, by reducing or suspending any allowance payable to the recipient or by proceedings to recover such sum as a debt due to the Crown in any court of competent jurisdiction.

Further application

13c. Notwithstanding any decision of the Director, the board of review or of the court, a further application for a benefit may be made to the Director by the applicant or recipient upon new or other evidence or where material circumstances have changed.

BOARD OF REVIEW

Composition

17. (1) The board of review shall be composed of not more than fifteen members.

Vice-chairman

(2) Where,

(a) the chairman of the board of review is absent or unable to act, a vice-chairman designated by the chairman; or

(b) the office of the chairman of the board of review is vacant, a vice-chairman designated by the Minister,

has and shall exercise the jurisdiction and power of the chairman, including the power to complete any unfinished matter.

Request for hearing to be made within 30 days of decision

(3) A request for a hearing and review shall be made by an applicant or recipient in Form 6 within thirty days of the decision, order or directive to be reviewed.

Form 6

(4) Copies of Form 6 may be obtained from the Director by any applicant or recipient on request therefor.

Director to send written report

(5) The Director at the request of the chairman shall send to the board of review a written report pertaining to the decision, order or directive to be reviewed.

Notice to Director

(6) Within fourteen days following receipt of a notice in Form 6 the chairman of the board of review shall send to the Director a copy of the notice and a copy of the notice of the time and place of the hearing.

Notice to applicant or recipient

(7) Service of the notice of the time and place of the hearing and review shall be sent by registered mail to the applicant or recipient at the address shown on the notice respecting the hearing and review.

Adjournment of hearing

(8) Subject to subsection 6 of section 18, the board of review may adjourn the hearing from time to time after giving to the parties reasonable notice of the adjournment and of the time and place of the new hearing.

Withdrawal of request for hearing

(9) An applicant or recipient may at any time before the hearing withdraw his request for the hearing and review by notifying the chairman of the board of review in writing.

Hearing conducted by one member of board

18. (1) The chairman may authorize one member of the board of review to conduct the hearing and to report to the board and such member has all the powers of the board for the purpose of such hearing.

Item report to board

(2) The report of such member may be adopted as the decision of the board of review by two or more other members of the board, or may be otherwise dealt with as the board deems proper.

Non-attendance by applicant or recipient

(3) If, after receiving due notice, the applicant or recipient requesting the review does not attend the hearing, the board of review may proceed in his absence and he shall not be entitled to further notice of any future proceedings by the board.

Hearing in camera

(4) All hearings of the board of review shall be held in camera.

Director to be heard

(5) The Director or his representative shall be given an opportunity at the hearing to give reasons for the decision, order or directive being reviewed.

Decision of board to be made within 40 days

(6) The board of review shall reach a decision according to the evidence within a period not exceeding forty days from the date that the notice in Form 6 was received by the chairman of the board.

Notice of decision of board

(7) The notice of decision of the board of review shall include,

(a) the principal findings of fact on the evidence officially noticed; and

(b) the conclusions based on the findings of fact.

Effective date of decision of Director

19. A decision of the Director made pursuant to the direction of the board of review or the Court of Appeal shall take effect from the date of his original decision, order or directive, as the case may be, that was the subject of the review or appeal.

Appendix 3

Extract: The Statutory Powers Procedure Act, 1971

Chap. 47 STATUTORY POWERS PROCEDURE

Part I

MINIMUM RULES FOR PROCEEDINGS OF CERTAIN TRIBUNALS

Interpretation

2. In this Part,

(a) "hearing" means a hearing in any proceedings;

(b) "proceedings" means proceedings to which this Part applies.

Application of Part I

3. (1) Subject to subsection 2, this Part applies to proceedings by a tribunal in the exercise of a statutory power of decision conferred by or under an Act of the Legislature, where the tribunal is required by or under such Act or otherwise by law to hold or to afford to the parties to the proceedings an opportunity for a hearing before making a decision.

Where Part I does not apply

(2) This Part does not apply to proceedings,

(a) before the Assembly or any committee of the Assembly;

(b) in or before,

(i) the Supreme Court,

(ii) a county or district court,

(iii) a surrogate court,

R.S.O. 1970, c. 369

(iv) a provincial court established under The Provincial Courts Act,

(v) a small claims court,

(vi) a justice of the peace,

R.S.O. 1970, c. 84

(vii) an election court under The Controverted Elections Act;

(c) to which the Rules of Practice and Procedure of the Supreme Court apply;

R.S.O. 1970, cc. 25, 232

(d) before an arbitrator to which The Arbitrations Act or The Labour Relations Act applies;

(e) at a coroner's inquest;

1971, c. 49

(f) of a commission appointed under The Public Inquiries Act, 1971;

(g) of one or more persons required to make an investigation and to make a report, with or without recommendations, where the report is for the information or advice of the person to whom it is made and does not in any way legally bind or limit that person in any decision he may have power to make;

(h) of a tribunal empowered to make regulations, rules or by-laws in so far as its power to make regulations, rules or by-laws is concerned.

Disposition of proceedings without a hearing

4. Notwithstanding anything in this Act and unless otherwise provided in the Act under which the proceedings arise, or the tribunal otherwise directs, any proceedings may be disposed of by,

(a) agreement;

(b) consent order; or

(c) a decision of the tribunal given,

(i) without a hearing, or

(ii) without compliance with any other requirement of this Act,

where the parties have waived such hearing or compliance.

Parties

5. The parties to any proceedings shall be the persons specified as parties by or under the statute under which the proceedings arise or, if not so specified, persons entitled by law to be parties to the proceedings.

Notice of hearing

6. (1) The parties to any proceedings shall be given reasonable notice of the hearing by the tribunal.

Idem

(2) A notice of a hearing shall include,

(a) a statement of the time, place and purpose of the hearing;

(b) a reference to the statutory authority under which the hearing will be held; and

(c) a statement that if the party notified does not attend at the hearing, the tribunal may proceed in his absence and he will not be entitled to any further notice in the proceedings.

Effect of non-attendance at hearing after due notice

7. Where notice of a hearing has been given to a party to any proceedings in accordance with this Act and the party does not attend at the hearing, the tribunal may proceed in his absence and he is not entitled to any further notice in the proceedings.

Where character, etc., of a party is in issue

8. Where the good character, propriety of conduct or competence of a party is an issue in any proceedings, the party is entitled to be furnished prior to the hearing with reasonable information of any allegations with respect thereto.

Hearings to be public, exceptions

9. (1) A hearing shall be open to the public except where the tribunal is of the opinion that,

(a) matters involving public security may be disclosed; or

(b) intimate financial or personal matters or other matters may be disclosed at the hearing of such a nature, having regard to the circumstances, that the desirability of avoiding disclosure thereof in the interests of any person affected or in the public interest outweighs the desirability of adhering to the principle that hearings be open to the public,

in which case the tribunal may hold the hearing concerning any such matters in camera.

Maintenance of order at hearings

(2) A tribunal may make such orders or give such directions at a hearing as it considers necessary for the maintenance of order at the hearing, and, if any person disobeys or fails to comply with any such order or direction, the tribunal or a member thereof may call for the assistance of any peace officer to enforce the order or direction, and every peace officer so called upon shall take such action as is necessary to enforce the order or direction and may use such force as is reasonably required for that purpose.

Rights of parties to counsel, to examine witnesses, etc., at hearings

10. A party to proceedings may at a hearing,

(a) be represented by counsel or an agent;

(b) call and examine witnesses and present his arguments and submissions;

(c) conduct cross-examinations of witnesses at a hearing reasonably required for a full and fair disclosure of the facts in relation to which they have given evidence.

Rights of witnesses to counsel

11. (1) A witness at a hearing is entitled to be advised by his counsel or agent as to his rights but such counsel or agent may take no other part in the hearing without leave of the tribunal.

Idem

(2) Where a hearing is in camera, a counsel or agent for a witness is not entitled to be present except when that witness is giving evidence.

Summons

12. (1) A tribunal may require any person, including a party, by summons,

- (a) to give evidence on oath or affirmation at a hearing; and
- (b) to produce in evidence at a hearing documents and things specified by the tribunal,

relevant to the subject-matter of the proceedings and admissible at a hearing.

Form and service of summonses

(2) A summons issued under subsection 1 shall be in Form 1 and,

- (a) where the tribunal consists of one person, shall be signed by him; or
- (b) where the tribunal consists of more than one person, shall be signed by the chairman of the tribunal or in such other manner as documents on behalf of the tribunal may be signed under the statute constituting the tribunal; and
- (c) shall be served personally on the person summoned who shall be paid the like fees and allowances for his attendance as a witness before the tribunal as are paid for the attendance of a witness summoned to attend before the Supreme Court.

Bench warrants

(3) Upon proof to the satisfaction of a judge of the Supreme Court of the service of a summons under this section upon a person and that,

- (a) such person has failed to attend or to remain in attendance at a hearing in accordance with the requirements of the summons;
- (b) a sufficient sum for his fees and allowances has been duly paid or tendered to him; and
- (c) his presence is material to the ends of justice,

the judge may, by his warrant in Form 2, directed to any sheriff, police officer or constable, cause such witness to be apprehended anywhere within Ontario and forthwith to be brought before the tribunal and to be detained in custody as the judge may order until his presence as a witness before the tribunal is no longer required, or, in the discretion of the judge, to be released on a recognizance (with or without sureties) conditioned for appearance to give evidence.

Proof of service

(4) Service of a summons and payment of tender of fees or allowance may be proved by affidavit in an application under subsection 3.

Certificate of facts

(5) Where an application under subsection 3 is made on behalf of a tribunal, the person constituting the tribunal, or where the tribunal consists of two or more persons, the chairman thereof may certify to the judge the facts relied on to establish that the presence of the person summoned is material to the ends of justice and such certificate may be accepted by the judge as proof of such facts.

Idem

(6) Where an application under subsection 3 is made by a party to the proceedings, proof of the facts relied on to establish that the presence of the person summoned is material to the ends of justice may be by affidavit of such party.

Contempt proceedings

13. Where any person without lawful excuse,

- (a) on being duly summoned under section 12 as a witness at a hearing makes default in attending at the hearing; or
- (b) being in attendance as a witness at a hearing, refuses to take an oath or to make an affirmation legally required by the tribunal to be taken or made, or to produce any document or thing in his power or control legally required by the tribunal to be produced by him or to answer any question to which the tribunal may legally require an answer; or

(c) does any other thing that would, if the tribunal had been a court of law having power to commit for contempt, have been contempt of that court,

the tribunal may, of its own motion or on application of a party to the proceedings, state a case to the Divisional Court setting out the facts and that court may, on application on behalf of and in the name of the tribunal or by such party, inquire into the matter and, after hearing any witnesses who may be produced against or on behalf of that person and after hearing any statement that may be offered in defence, punish or take steps for the punishment of that person in like manner as if he had been guilty of contempt of the court.

Protection for witnesses

14. (1) A witness at a hearing shall be deemed to have objected to answer any question asked him upon the ground that his answer may tend to criminate him or may tend to establish his liability to civil proceedings at the instance of the Crown, or of any person, and no answer given by a witness at a hearing shall be used or be receivable in evidence against him in any trial or other proceedings against him thereafter taking place, other than a prosecution for perjury in giving such evidence.

Right to object under — R.S.C. 1952, c. 307

(2) A witness shall be informed by the tribunal of his right to object to answer any question under section 5 of the Canada Evidence Act.

What is admissible in evidence at a hearing

15. (1) Subject to subsections 2 and 3, a tribunal may admit as evidence at a hearing, whether or not given or proven under oath or affirmation or admissible as evidence in a court,

(a) any oral testimony; and

(b) any document or other thing,

relevant to the subject matter of the proceedings and may act on such evidence, but the tribunal may exclude anything unduly repetitious.

What is inadmissible in evidence at a hearing

(2) Nothing is admissible in evidence at a hearing,

(a) that would be inadmissible in a court by reason of any privilege under the law of evidence; or

(b) that is inadmissible by the statute under which the proceedings arise or any other statute.

Conflicts

(3) Nothing in subsection 1 overrides the provisions of any Act expressly limiting the extent to or purposes for which any oral testimony, documents or things may be admitted or used in evidence in any proceedings.

Copies

(4) Where a tribunal is satisfied as to their authenticity, a copy of a document or other thing may be admitted as evidence at a hearing.

Photocopies

(5) Where a document has been filed in evidence at a hearing, the tribunal may, or the person producing it or entitled to it may with the leave of the tribunal, cause the document to be photocopied and the tribunal may authorize the photocopy to be filed in evidence in the place of the document filed and release the document filed, or may furnish to the person producing it or the person entitled to it a photocopy of the document filed certified by a member of the tribunal.

Certified copy admissible in evidence

(6) A document purporting to be a copy of a document filed in evidence at a hearing, certified to be a true copy thereof by a member of the tribunal, is admissible in evidence in proceedings in which the document is admissible as evidence of the document.

Notice of facts and opinions

16. A tribunal may, in making its decision in any proceedings,

(a) take notice of facts that may be judicially noticed; and

(b) take notice of any generally recognized scientific or technical facts, information, or opinions within its scientific or specialized knowledge.

Decision

17. A tribunal shall give its final decision and order, if any, in any proceedings in writing and shall give reasons in writing therefor if requested by a party.

Notice of decision

18. A tribunal shall send by first class mail addressed to the parties to any proceedings who took part in the hearing, at their addresses last known to the tribunal, a copy of its final decision and order, if any, in the proceedings, together with the reasons therefor, where reasons have been given, and each party shall be deemed to have received a copy of the decision or order on the fifth day after the day of mailing unless the party did not, acting in good faith, through absence, accident, illness or other cause beyond his control receive the copy of the decision or order until a later date.

Enforcement of decision

19. (1) A certified copy of a final decision and order, if any, of a tribunal in any proceedings may be filed in the office of the Registrar of the Supreme Court by the tribunal or by a party and, if it is for the payment of money, it may be enforced at the instance of the tribunal or of such party in the name of the tribunal in the same manner as a judgment of that court, and in all other cases by an application by the tribunal or by such party to the court for such order as the court may consider just.

Idem

(2) Where a tribunal having power to do so makes an order or decision rescinding or varying an order or decision previously made by it that has been filed under subsection 1, upon filing in accordance with subsection 1 the order or decision rescinding or varying the order or decision previously made,

(a) if the order or decision rescinds the order or decision previously made, the order or decision previously made ceases to have effect for the purposes of subsection 1; or

(b) if the order or decision varies the order or decision previously made, the order or decision previously made as so varied may be enforced in a like manner as an order or decision filed under subsection 1.

Record of proceedings

20. A tribunal shall compile a record of any proceedings in which a hearing has been held which shall include,

(a) any application, complaint, reference or other document, if any, by which the proceedings were commenced;

(b) the notice of any hearing;

(c) any intermediate orders made by the tribunal;

(d) all documentary evidence filed with the tribunal, subject to any limitation expressly imposed by any other Act on the extent to or the purposes for which any such documents may be used in evidence in any proceedings;

(e) the transcript, if any, of the oral evidence given at the hearing; and

(f) the decision of the tribunal and the reasons therefor, where reasons have been given.

Adjournments

21. A hearing may be adjourned from time to time by a tribunal of its own motion or where it is shown to the satisfaction of the tribunal that the adjournment is required to permit an adequate hearing to be held.

Administration of oaths

22. A member of a tribunal has power to administer oaths and affirmations for the purpose of any of its proceedings and the tribunal may require evidence before it to be given under oath or affirmation.

Abuse of processes

23. (1) A tribunal may make such orders or give such directions in proceedings before it as it considers proper to prevent abuse of its processes.

Limitation on cross-examination

(2) A tribunal may reasonably limit further cross-examination of a witness where it is satisfied that the cross-examination of the witness has been sufficient to disclose fully and fairly the facts in relation to which he has given evidence.

Exclusion of agents

(3) A tribunal may exclude from a hearing anyone, other than a barrister and solicitor qualified to practise in Ontario, appearing as an agent on behalf of a party or as an adviser to a witness if it finds that such person is not competent properly to represent or to advise the party or witness or does not understand and comply at the hearing with the duties and responsibilities of an advocate or adviser.

Notice, etc.

24. (1) Where a tribunal is of opinion that because the parties to any proceedings before it are so numerous or for any other reason, it is impracticable,

(a) to give notice of the hearing; or

(b) to send its decision and the material mentioned in section 18,

to all or any of the parties individually, the tribunal may, instead of doing so, cause reasonable notice of the hearing or of its decision to be given to such parties by public advertisement or otherwise as the tribunal may direct.

Contents of notice

(2) A notice of a decision given by a tribunal under clause b of subsection 1 shall inform the parties of the place where copies of the decision and the reasons therefor, if reasons were given, may be obtained.

Appeal operates as stay, exception

25. (1) Unless it is expressly provided to the contrary in the Act under which the proceedings arise, an appeal from a decision of a tribunal to a court or other appellate tribunal operates as a stay in the matter except where the tribunal or the court or other body to which the appeal is taken otherwise orders.

Idem 1971, c.48

(2) An application for judicial review under The Judicial Review Procedure Act, 1971, or the bringing of proceedings specified in subsection 1 of section 2 of that Act is not an appeal within the meaning of subsection 1.

Appendix 4

Reprint: A new information pamphlet

The following is a reprint of the information appearing in a new pamphlet published by the Ministry of Community and Social Services on behalf of the Board of Review. Copies of the pamphlet entitled "You Can Appeal!" may be obtained from The Communications Branch, Ontario Ministry of Community and Social Services, Hepburn Block, Queen's Park, Toronto.

You can appeal!

If you are applying for or receiving: 1. Family Benefits (provincial assistance) 2. Vocational Rehabilitation Services (also provincial) or 3. General Assistance (a municipal allowance often called "welfare") . . . then this pamphlet is for you.

It explains how you can "appeal" (question a decision) if you feel you are not getting what you are entitled to from these assistance programs.

There are three ways to appeal. You can appeal to the Director, you can appeal to the Board of Review, and you can appeal to the Supreme Court of Ontario.

Appeal to the Director (for Family Benefits or Vocational Rehabilitation Services)

If you are refused a Family Benefits allowance or Vocational Rehabilitation Services, or if for some reason a decision is made to stop your allowance, the Director of the program will first send you a written "letter of intent" explaining his intended action and his reason for it. A notice will be included, telling you that if you consider the action incorrect, you can appeal to the Director.

If you choose to appeal, you should write a letter giving the reasons why you feel that the Director's intended decision is incorrect.

Director,
Family Benefits Branch,
Ministry of Community and Social Services,
4th Floor, Hepburn Block,
Queen's Park, Toronto.

Director,
Vocational Rehabilitation Services Branch,
Ministry of Community and Social Services,
4th Floor, Hepburn Block,
Queen's Park, Toronto.

If the Director does not receive a letter within ten days, he will proceed with his decision. If he receives a letter, he will carefully consider it and then either change his decision or proceed with it.

If he proceeds, he will inform you that his action is going into effect and why. He will also tell you that you can appeal to the Board of Review, about any decision to refuse you an allowance, stop your allowance, or reduce your allowance.

Request to reconsider — (for General Assistance)

If you are refused a General Assistance allowance, or if your allowance is reduced or stopped, you may ask your welfare administrator to reconsider.

General Assistance covers a variety of situations, including hostel services, emergency aid and short-term help, so it is left to the welfare administrator to decide whether to notify you beforehand if for some reason a decision is made to reduce or stop your allowance. However, if you have been receiving General Assistance for some time and you are in close touch with the welfare office, the welfare administrator probably will inform you beforehand of any intention to reduce or stop your allowance.

You can appeal to the Board of Review concerning a General Assistance allowance. But you cannot appeal decisions about the amount of money given for specific needs under municipal Special Assistance or Supplementary Aid.

Appeal to the Board of Review

The Board of Review is an independent group of people that has the authority to reconsider decisions on Family Benefits, Vocational Rehabilitation Services, and General Assistance, following the legislation.

If you consider a Director's or a welfare administrator's decision incorrect, you can appeal to the Board of Review within 30 days after you have received notice of the decision.

Fill out the Appeal Form

Ask for an appeal form (Form 6) from your field worker, case worker, counsellor, welfare worker, or write:

Chairman,
Board of Review,
Room M1-56,
Ontario Ministry of Community and Social Services,
Queen's Park, Toronto, Ontario.

Fill out the appeal form by giving your name, address and file number if you are already receiving an allowance (get this from your cheque stub or by asking your worker). Describe in your own words why you think the decision on your case should be changed. You can have anyone you wish help you. Within 30 days of the decision you wish to appeal, mail the appeal form to the Board of Review. If you have difficulty with English, you may wish to have someone assist you in completing the appeal form.

The Board will notify you

The Board of Review must give you a hearing to review the decision on your case, unless both you and the Director or welfare administrator agree that a hearing is not necessary. You will receive written notification of the time and place of the hearing. If you do not attend the hearing, the Board may proceed in your absence. The hearing will usually be held in your community.

Your privacy is respected

Confidentiality is maintained at all stages of the appeal procedure and only certain people are allowed to attend the hearing, including:

- yourself and any representative you wish to attend with you;
- the Director (of Family Benefits or Vocational Rehabilitation Services) or your welfare administrator, or their representatives;
- one or more members of the Board of Review.

Only those members of the Board who are actually present at the hearing can make the decision on your case. However, these members can consult with other members or seek independent legal advice.

What happens at the hearing

Both you and the Director or welfare administrator are entitled to produce witnesses at the hearing. If the Director or welfare administrator prepares a written report to give to the Board, you will receive a copy before the hearing. The Board will record evidence at the hearing which will be permanently available.

During the hearing, the Board will question you and the Director or welfare administrator or their representatives about the circumstances surrounding your case. You yourself can ask the witnesses questions and can speak on your own behalf.

You can be represented by a lawyer or by another person, such as a friend, minister or law student. You may want to bring someone to help you, especially with language difficulties. If you speak French, explain this when you mail the appeal form to the Board of Review, and a bilingual member will attend the hearing.

The Board will send you its decision

The Board of Review members who attend the hearing will either affirm the Director's or welfare administrator's action, change his action or refer it back to him for further consideration.

The Board will write you, telling what its decision is, why and when it takes effect.

You may ask the Board to reconsider its decision if you feel there is a further point to be made or if correct procedure is not followed, and the Board may then hold a further hearing if it sees fit.

Appeal to the court

If you feel the Board's decision is incorrect, you can appeal to the Supreme Court of Ontario within 15 days of the Board's decision. You should see a lawyer if you want to do this. If you cannot afford the cost of legal services, you should see the local Director of Legal Aid.

You may apply again

Even if the decision of the Director or welfare administrator or of the Board of Review or of the Court is against you, you may apply again for Family Benefits, Vocational Rehabilitation Services, or General Assistance, if your situation has changed or if you have new evidence of your need.

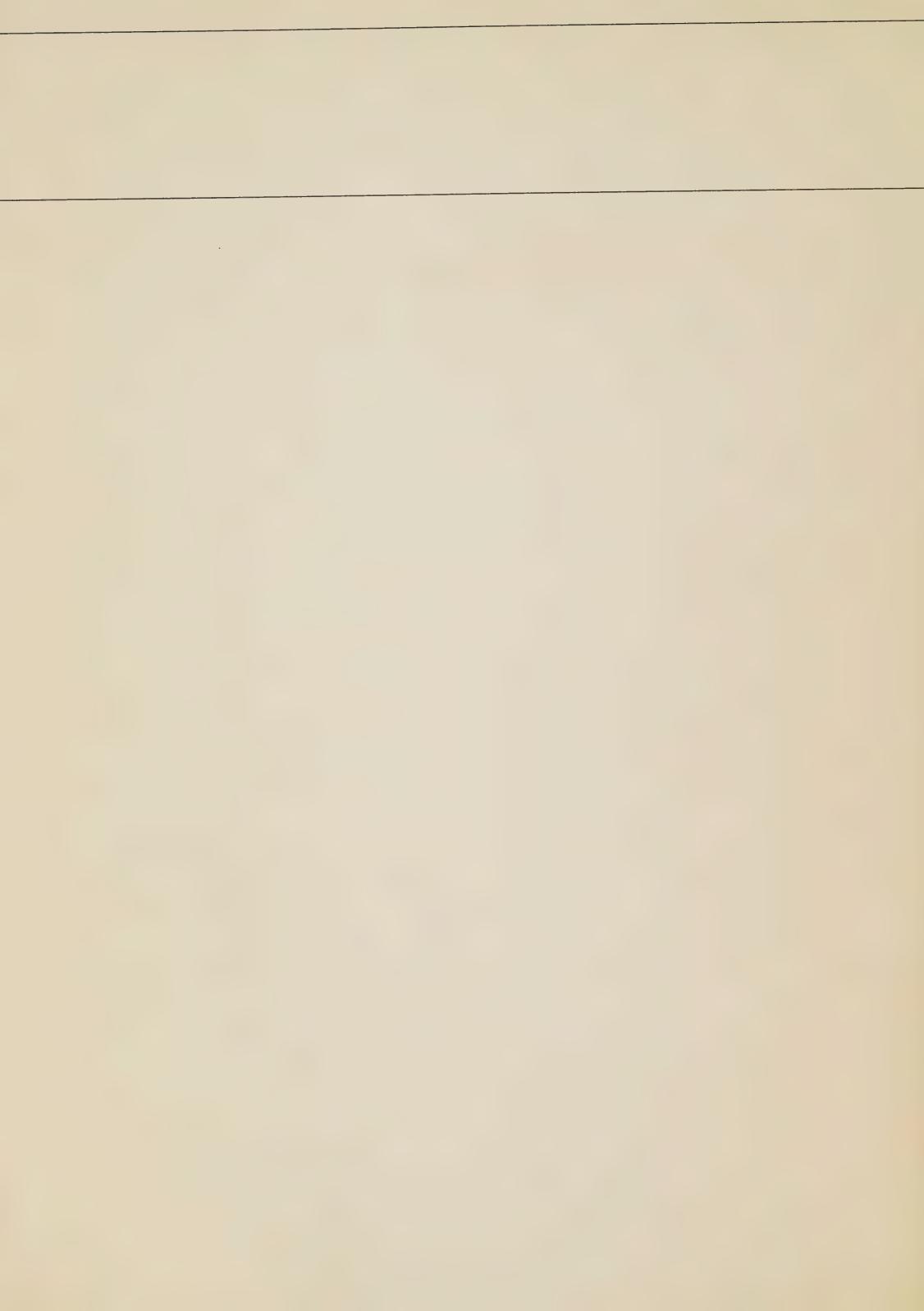
To find out more

If you have any further questions on how to appeal, you should write or call the nearest Regional Office of the Ontario Ministry of Community and Social Services.

This pamphlet is provided for your convenience, guidance and information but remember that it is not intended as a final interpretation of the legislation.

Regional Offices of this Ministry

ALEXANDRIA	GERALDTON	OTTAWA	SOUTH RIVER
28 Main St. 525-3524	Office No. 1, 1411 Main St.	2197 East Riverside Dr.	266 Ottawa St.
ARMSTRONG	Box 1029, 854-1840	Pebb Bldg., 737-5520	Box 161, 386-2571
Lands and Forests District	GUELPH	OWEN SOUND	ST. CATHARINES
Bldg., Armstrong 20	5 Douglas St.	347 Ninth St. E., 376-1951	15 Church St.
BANCROFT	Gummer Bldg., 822-7500	PARRY SOUND	Box 176, 685-8423
Hastings Centennial	HAILEYBURY	8A Sequin St.	STRATFORD
Manor, Lot 2, Concession	Court House	Box 305, 746-8534	380 Hibernia St.
"A", Box 99, 332-3410	Box 218, 672-3501	PEMBROKE	271-1530
BARRIE	HAMILTON	207 Renfrew St., 732-2631	STURGEON FALLS
110 Dunlop St. E.,	Ste. 525, 135 James St. S.	PERTH	Drawer 160, Main St.
Box 218, 726-8250	Box 870, 528-9884	Sunset Blvd.	753-1611
BELLEVILLE	HEARST	P.O. Box 111, 267-2504	ST. THOMAS
Room 2, 14 Bridge St. W.,	621 Front St.	PETERBOROUGH	Ste. 2, 300 Talbot St.
Box 816, 968-3506	Box 1348, 362-4238	139 George St. N.	631-3032
BRACEBRIDGE	KEEWATIN	742-9292	SUDBURY
Box 838, Court House	104 Government Rd.	RED LAKE	127 Cedar St.
645-2991	Box 429, 547-2801	Ontario Government	Drawer 1120
BRAMPTON	KINGSTON	Bldg.	674-3151 Ext. 271
Ste. 506, 24 Queen St. E.	797 Princess St.	Box 827, 727-2174	THUNDER BAY
459-7135	Box 970, 544-6206	RENFREW	1111 Victoria Ave.
BRANTFORD	KIRKLAND LAKE	315 Raglan St. S.	622-3934
100 Wellington Sq.,	44 Prospect Ave.	432-4809	TIMMINS
756-5790	Box 398, 567-3391	SARNIA	96 Balsam St. S.
BROCKVILLE	LEAMINGTON	177 Russell St. N.	Box 612, 264-9407
51 King St. E., 345-1200	38 Erie St. N.	344-2405	TORONTO
CHATHAM	Box 127, 326-2511	SAULT STE. MARIE	110 Eglinton Ave. W.
Weymar Building,	LINDSAY	123 March St.	487-4392
48-Fifth St.	Ontario Government	P.O. Box 68, 256-5666	WATERLOO
Box 685, 352-5040	Bldg.	SHELBURNE	75 King St. S., 5th Floor
COCHRANE	324-6121 Ext. 51	115 Shelburne St.	Waterloo Square
171 Fourth St.	LONDON	Box 36, 925-3319	579-3130
Box 1498, 272-4846	764 Dundas St. E.	SIMCOE	WINDSOR
COLLINGWOOD	438-5111	Norfolk County Bldg.	374 Ouellette Ave.
Box 155, 445-4461	MOOSONEE	R.R. 1, 426-9350	254-9231
CORNWALL	First St.	SIOUX LOOKOUT	WINGHAM
132 Second St. E.	Box 160, 336-2905	110 Front St.	Box 510, 357-3370
Box 1358, 932-3381	NORTH BAY	Box 338, 737-3813	
DRYDEN	Ste. 408,		
32 King St.	222 McIntyre St. W.		
Box 490, 223-2241	Box 327, 474-3540		
FORT FRANCIS	OAKVILLE		
240 Scott St.	345 Lakeshore Blvd. E.		
Box 760, 274-9847	844-1221		
GALT	OSHAWA		
63 Ainslie St. N.,	200 John St. W.		
623-1230	576-9001		



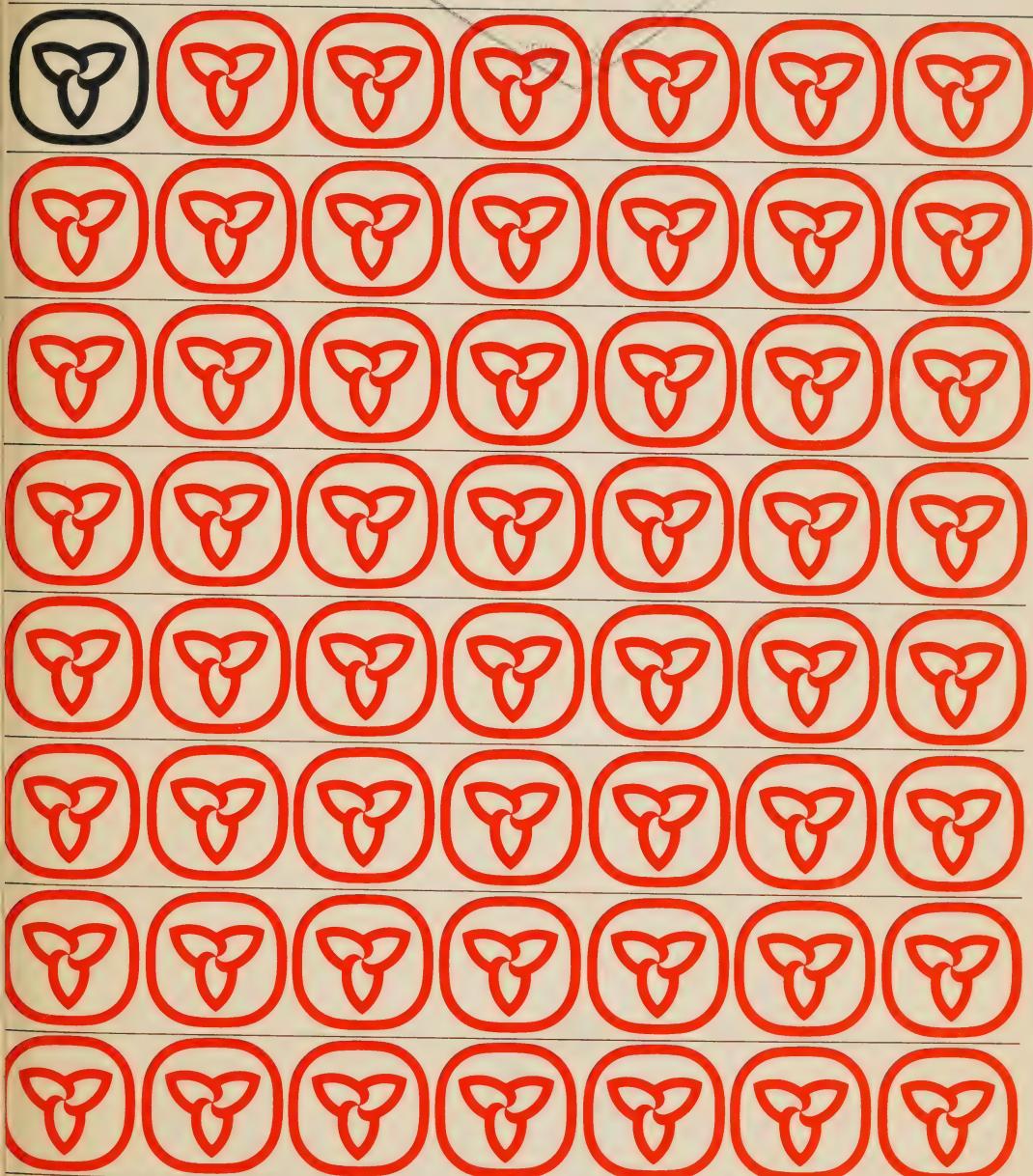
Annual Report

Board of Review
1972 - 1973

Ministry of Community
and Social Services

CAZ DN
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**Fourth
Annual Report**

Board of Review

**Ministry of
Community and
Social Services**

**Statistical Data on
Operations and People
in the Appeals**

Fiscal Year 1972-73

The Honourable Rene Brunelle,
Minister of Community and Social Services

Sir:

I am pleased to present the fourth Annual Report of
the Board of Review, Ministry of Community and Social Services.
This report covers the Fiscal Year ending March 31, 1973.

M. Borczak, Chairman
Board of Review

Board Members

Chairman

M. Borczak

James S. Band (to December 31, 1972)

Vice-Chairmen

Miss Robena J. Morris

Mr. Henry J. Price

Members

Mr. Earl Armstrong

Mr. James Ballantyne

Mrs. Norma Brown

Mr. Leonard H. Ellins

Miss Dolores Parent

Mr. Lionel Vaillancourt

Introduction

The statistical tables are divided into five sections: first, dealing with the number of appeals, matters of procedure and classification of cases by legislative programs; secondly, showing the geographic distribution of appellants and third, distribution by sex, marital status, and age.

Section four presents categories of the underlying problems which the appellants encountered and which represent the real content of the appeals. It should be noted that these categories are not necessarily comparable with those in other sections of the statistics. For example, the category of "Marital Problems" set out in Table 22 is not equal to "Family Status" as in Table 15. Similarly, a divorced woman's worry could be related to the calculation of benefits rather than to her marital status, and a separated man's problems could be derived from his health condition or other factors, not from his marital status.

The common-law union is considered here as a source of problems even if at the time of the hearing it does not exist any more. As an example: a lady's common-law union was dissolved years before the hearing but the problem she presented had its origin there because three of her children were born from that union and the man was not willing to contribute to the children's upkeep.

Problems of immigrants appear in two categories. The main category refers to "sponsored" immigrants. These are people who have acquired a "landed immigrant" status. Others (the "would be" immigrants) are listed under "Residence as pre-condition for assistance" because they as visitors (on visitor's visa) might be said to have not established residence in this country.

Health problems are also under different headings. First of all, they might be connected with employment. This refers mostly to "unemployable" persons, unable to work because of illness or accident. All other cases of health troubles are listed under "Special Personal".

Section five presents some data compared with the previous years. The present year might be significant with the numbers of appeals levelling off (Table 30). The distribution of cases by location of residence would indicate that the right to appeal the decisions in administering welfare allowances is now a common property throughout the Province. It could, therefore, be expected that some kind of a "normal" annual increase of the appeal load will develop.

A variation appears also in the development of legislative programs (Table 29). The constant level of distribution by programs was upset this year with a much higher percentage of "Family Benefits". This could just be a coincidence, of course, here explainable by a higher number of appellants seeking a disabled person's allowance.

Table 27, dealing with categories of decisions, shows also a stabilizing trend in that the category of "appeal denied" demonstrates a very low percentage of increase.

Trends in Appeals

The series of tables and charts included in this report follow the same pattern as the last annual report of the Board of Review. In comparing the growth of appeals from 1969 to the present (Table 30) there are indications the number of appeals will remain constant and that the program has found its level. This assumption may be premature, due to amendments to legislation. For example, a recent amendment to The Family Benefits Act (April 1, 1973) makes it possible to transfer from Municipalities to the Province approximately 12,000 General Welfare Assistance recipients, who are permanently unemployed, to the Family Benefits program. This will reduce the General Welfare Assistance roles by almost one-third and perhaps be reflected in the number of future appeals.

As an outgrowth of the hearings with persons making appeals, the Board made 196 referrals (Table 6) for additional assistance through the Ministry. It is not mandatory for the Board to offer alternatives when handing down a decision. The bulk of the referrals was made to Vocational Rehabilitation (Table 7).

The Board always travels to the community the applicant resides in (Tables 10-11). Hearings are held in camera and they may be held in local offices of the Ministry, the municipal social service office or, at times, the home of the appellant.

Legislation outlining the duties and responsibilities of the Board of Review is contained in The Family Benefits Act, The General Welfare Assistance Act, The Vocational Rehabilitation Services Act and The Statutory Powers Procedure Act.

Public information on the Board and the appeal procedure is contained in the pamphlet YOU CAN APPEAL!. This pamphlet is available through offices of the Ministry and has been distributed to municipal social service and welfare offices throughout the Province.

Statistical Tables

SECTION		TABLES
1	Number of Appeals and Matters of Procedure	1 - 9
2	Geographic Distribution of Appeals	10 - 12
3	Distribution by Sex, Family Status and Age	13 - 18
4	Underlying Problems of Appellants	19 - 26
5	Comparative Tables by Years	27 - 30

Section One

Number of Appeals and Matters of Procedure

Table 1 Number of Appeals
(April 1, 1972 – March 31, 1973)

Total Appeals	2011	100.0%
Decision made	1791	89.1%
Appeal withdrawn	218	10.8%
Decision pending	2	0.1%

Table 2 Reasons for Withdrawal of Appeal

Total	218	100.0%
Appellant's initiative	108	49.5%
Appellant's death	2	0.9%
Appellant's health problems*	11	5.1%
Administration's change in decision	39	17.9%
Other informal solution found	58	26.6%

* Appellant confined to hospital for treatment

Table 3 Distribution by Legislation

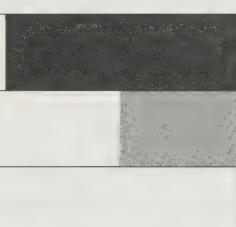
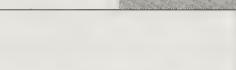
Total Cases Decided	1791	100.0%	
Family Benefits	1075	60.0%	
General Welfare Assistance	701	39.2%	
Rehabilitation	15	0.8%	

Table 4 Distribution by Reason for Appeal

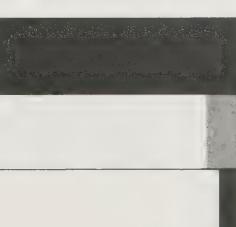
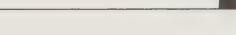
Total Cases Decided	1791	100.0%	
Refusal to Grant an Allowance	1129	63.0%	
Cancellation of Allowance	185	10.4%	
Suspension of Allowance	92	5.1%	
Reduction of Allowance	385	21.5%	

Table 5 Reason for Appeal by Programs

	Total	Refusal	Cancellation	Suspension	Reduction
Total	1791	1129	185	92	385
Family Benefits	1075	669	47	64	295
General Welfare Assistance	701	446	137	28	90
Rehabilitation	15	14	1	—	—

Table 6 Decisions on Appeals

Total Cases Decided	1791	100.0%	
Appeal granted in full	434	24.2%	
Appeal granted in part	85	4.8%	
Appeal denied	1272	71.0%	
Supplementary measures recommended*:	196		

* Most typical case is recommendation of rehabilitation services

Table 7 Decisions by Programs

	Total	Appeal Granted in Full	Appeal Granted in Part	Appeal Denied	Supplementary Measures Recommended
Total	1791	434	85	1272	196
Family Benefits	1075	285	57	733	147
General Welfare Assistance	701	143	27	531	47
Rehabilitation	15	6	1	8	2

Table 8 Time Elapsed in Hearing

Decisions	1791	100.0%	
Within 40 day period	1627	90.8%	
Over 40 day period	164	9.2	

Note: 40 days after receiving Form 6

Table 9 Origin of Delay in Hearings

Total Cases	164	100.0%	
Board of Review	71	43.3%	
Administration of Welfare	49	29.9%	
Appellant	44	26.8%	

Note: Delays at the Board of Review were due mainly to inclement weather, making travel to the place of hearing impossible.

The delay related to the Administration of

Welfare was usually caused by delayed information given to the Board by the Administration.

Appellants caused delays asking for re-scheduling of the hearing for a variety of personal reasons.

Section Two

Geographic Distribution of Appeals

Table 10 Geographic Location of Appellants

Total Cases	1791	100.0%
Seven Metro Areas	830	46.3%
Other Communities	961	53.7%

**Table 11 Location
Appellants residing in Metro areas**

Total Cases	830	100.0%
Hamilton	46	5.6%
Kitchener	30	3.6%
London	70	8.4%
Ottawa	49	5.9%
Sudbury	17	2.1%
Toronto	592	71.3%
Windsor	26	3.1%

**Table 12 Location
Appellants residing in other communities**

Location	Total	Location	Total
Acton	1	Brussels	1
Agincourt	2	Burford	1
Ailsa Craig	1	Burk's Falls	2
Ajax	3	Burlington	6
Alexandria	7	Cache Bay	2
Allenford	2	Caistor Centre	1
Amherstburg	2	Caledonia	1
Angus	1	Callander	2
Appin	1	Cameron	1
Apple Hill	2	Cambellford	1
Apsley	1	Cannington	2
Ariss	1	Capetown	1
Arkona	1	Cardinal	1
Arnprior	1	Carleton Place	1
Athens	1	Carlisle	1
Aurora	2	Castleton	1
Aylmer	2	Cayuga	2
Ayton	2	Chalk River	1
Bainsville	1	Chapleau	2
Balderson	1	Chaput Hughes	1
Barrie	4	Chatham	4
Barry's Bay	2	Chelmsford	3
Bath	1	Chesley	1
Beachville	1	Chesterville	2
Belle Ewart	1	Clifford	1
Belle River	1	Cobalt	4
Belleville	11	Cobden	1
Blenheim	3	Coboconk	1
Blossom Park	1	Cobourg	5
Bonfield	1	Cochrane	6
Bothwell	1	Coe Hill	1
Bowmanville	1	Coldwater	1
Bracebridge	1	Collingwood	4
Bradford	2	Combermere	1
Brampton	4	Concord	1
Brantford	12	Coniston	2
Bright Grove	1	Consecon	1
Brighton	1	Cornwall	30
Brinston	2	Cottam	1
Brockville	1	Crystal Beach	3
Bruce Mines	3	Cumberland	1

Table 12 continued

Location	Total	Location	Total
Curran	2	Gananoque	1
Dacre	2	Geraldton	1
Delhi	1	Georgetown	2
Demorestville	1	Glencoe	1
Denbigh	1	Goderich	1
Deseronto	3	Golden Lake	5
Douglas	1	Guelph	13
Dresden	2	Hagersville	2
Dryden	1	Haileybury	3
Duart	1	Hanmer	1
Dunnville	4	Hanover	2
Dunsford	1	Harriston	1
Durham	3	Harrow	2
Earlton	3	Harrowsmith	1
Echo Bay	1	Havelock	2
Eganville	3	Hawkesbury	5
Eldorado	1	Hearst	7
Elk Lake	1	Hepworth	1
Elmira	1	Hespeler	1
Elmvale	2	Highgate	1
Elora	1	Holstein	3
Embrun	1	Holyrood	1
Englehart	3	Huntsville	2
Ennismore	1	Ignace	1
Enterprise	1	Ingersoll	4
Espanola	1	Ingleside	1
Everett	1	Iroquois Falls	5
Essex	2	Jackson's Point	1
Excelsior	1	Kaladar	1
Exeter	1	Kapuskasing	7
Fauquier	2	Keene	1
Fergus	1	Kemptville	1
Field	1	Kenora	1
Flesherton	1	Kent Bridge	1
Fletcher	1	Keswick	2
Florence	1	Kettleby	1
Forest	3	Kincardine	1
Formosa	1	King City	1
Forrester Falls	1	Kingston	25
Fort Erie	3	Kingsville	3
Galt	2	Kiosk	1

Table 12 continued

Location	Total	Location	Total
Kirkfield	1	Monkton	2
Kirkland Lake	9	Morrisburg	3
Lakefield	1	Moose Creek	1
L'Amable	1	Mount Brydges	1
Lanark	5	Mount Dennis	1
Larder Lake	4	Mount Forest	1
LaSalle	1	Mount Hope	1
Leamington	1	Mountain	1
Lepage	1	Mountain Grove	1
Lindsay	10	Napanee	5
Listowel	3	Navan	1
Little Britain	1	New Liskeard	2
Little Current	1	New Lowell	1
Lively	2	Neustadt	1
Long Sault	1	Newboro	1
Low Banks	1	Newbury	3
Lucan	2	Newington	1
Lucknow	1	Newmarket	7
Mactier	1	Niagara Falls	10
Madoc	1	Niagara-on-the-Lake	2
Magnetawan	1	Nipissing	1
Malton	1	North Bay	13
Markstay	2	North Cobalt	2
Marmora	2	North Lancaster	1
Martintown	4	Norwich	2
Marysville	1	Norwood	3
Massey	2	Oak Ridges	1
Matheson	2	Oakville	6
Mattawa	5	Odessa	2
Maxville	3	Ohsweken	2
McDonald's Corner	1	Omemee	3
McGregor	1	Orangeville	1
Meaford	1	Orillia	8
Melbourne	3	Orleans	3
Merlin	1	Oshawa	16
Merrickville	2	Otterville	2
Midland	4	Owen Sound	10
Mildmay	3	Oxford Station	1
Milton	1	Paincourt	2
Mississauga	6	Painswick	2
Mitchell	1	Pakenham	1

Table 12 continued

Location	Total	Location	Total
Paris	2	Sharon	1
Parry Sound	2	Shelburne	1
Pefferlaw	2	Simcoe	4
Pembroke	19	Singhampton	2
Penetanguishene	1	Sioux Lookout	1
Perth	2	Smiths Falls	3
Petawawa	1	South Lancaster	2
Peterborough	19	South Porcupine	2
Petrolia	3	South River	2
Picton	3	Southampton	1
Pinewood	2	Southwood	1
Plantagenet	1	Spanish	1
Porcupine	1	St. Albert	1
Port Colborne	2	St. Andrews West	2
Port Dover	3	St. Catharines	16
Port Elgin	3	St. Charles	1
Port Franks	1	St. Eugene	1
Port McNicoll	2	St. George	1
Port Perry	1	St. Mary's	1
Port Robinson	1	St. Thomas	5
Port Rowen	1	Sterling	1
Port Severn	1	Stittsville	1
Powassan	2	Stoney Creek	2
Prescott	1	Stoney Point	1
Preston	1	Stouffville	5
Priceville	1	Stratford	4
Renfrew	17	Strathroy	2
Richmond Hill	2	Streetsville	4
Rideout	1	Strickland	1
Ripley	1	Sturgeon Falls	12
River Canard	1	Summerstown	1
River Drive Park	1	Sunderland	1
Round Lake Centre	1	Sundridge	2
Rutherglen	1	Sutton West	4
Ruthven	1	Sydenham	3
Salford	1	Tamworth	3
Sarnia	9	Tara	1
Sault Ste. Marie	14	Tecumseh	1
Schomberg	1	Tehkummah	1
Scotland	1	Temagami	1
Shannonville	1	Thamesville	2

Table 12 continued

Location	Total	Location	Total
Thedford	1	Wingham	1
Thessalon	1	Woodbridge	1
Thornhill	4	Woodslee	1
Thornbury	2	Woodstock	9
Thorold	1	Woodville	1
Thunder Bay	12	Worthington	1
Tilbury	1		
Tillsonburg	5		
Timmins	15	Total Cases heard	961
Tobermory	1		
Trenton	6		
Trout Creek	2		
Tweed	1		
Unionville	1		
Utterson	1		
Uxbridge	3		
Val Caron	1		
Val Gagne	1		
Vanier City	9		
Verner	1		
Victoria Harbour	1		
Vineland	1		
Vittoria	1		
Wabigoon	1		
Wainfleet	1		
Walkerton	2		
Wallaceburg	4		
Wardsville	1		
Warkworth	1		
Warren	1		
Wasaga Beach	2		
Watford	2		
Webbwood	1		
Welland	14		
West Hill	3		
West Lorne	1		
Westport	1		
Whitby	3		
Wiarton	1		
Wikwamikong	1		
Williamsburg	1		

Section Three

Distribution by Sex, Family Status and Age

Table 13 Distribution by Sex

Total Cases	1791	100.0%	
Male	885	49.4%	
Female	906	50.6%	

Table 14 Sex by Programs

	Total	Male	Female
Total Cases Decided	1791	885	906
Family Benefits	1075	475	600
General Welfare Assistance	701	396	305
Rehabilitation	15	14	1

Table 15 Family Status

Total Cases Decided	1791	100.0%	
Single	349	19.5%	
Married	917	51.2%	
Widowed	336	18.8%	
Divorced	96	5.3%	
Not Stated	93	5.2%	

Note: Included in the above are the following:

Married: (1) Separated: 215 (12.0%)
(2) Deserted mothers: 78 (4.4%)

Common-law union: 38 (2.1%)*

* as recognized by Board of Review

Table 16 Family Status by Programs

	Total	Single	Married	Widowed	Divorced	Not Stated
Total Cases Decided	1791	349	917	336	96	93
Family Benefits	1075	171	527	237	77	63
General Welfare Assistance	701	168	385	99	19	30
Rehabilitation	15	10	5	—	—	—

Table 17 Age Groups

Total Cases Decided	1791	100.0%
Under 20 years of age	75	4.2%
20 - 29	227	12.7%
30 - 49	535	29.9%
50 - 69	749	41.8%
70 and over	49	2.7%
Not stated	156	8.7%

Table 18 Age Groups by Programs

	Total	Under 20	20-29	30-49	50-69	70 and over	Not stated
Total Cases Decided	1791	75	227	535	749	49	156
Family Benefits	1075	16	75	311	565	16	92
General Welfare Assistance	701	58	145	219	182	33	64
Rehabilitation	15	1	7	5	2	—	—

Section Four

Underlying Problems of Appellants

Table 19 Context of Appeal

Total Cases Decided	1791	100.0%
Employment problems	244	13.6%
Marital problems	124	6.9%
Residence	16	0.9%
Special personal problems	600	33.5%
Sponsorship of immigrants	160	9.0%
Financial problems	647	36.1%

Table 20 Context of Appeal by Programs

	Total	Employment	Marital	Residence	Personal	Immigrants	Financial
Total Cases Decided	1791	244	124	16	600	160	647
Family Benefits	1075	29	64	2	536	33	411
General Welfare Assistance	701	213	60	14	53	127	234
Rehabilitation	15	2	—	—	11	—	2

Table 21 Employment

Total Cases	244	100.0%	
Impaired health	54	22.1%	
Work not available	18	7.4%	
Transportation or distance cost	5	2.0%	
Personal attitudes to work or conditions	131	53.7%	
Use of alcohol	5	2.1%	
Other reasons*	31	12.7%	

* Most frequent problems refer to people on strike and those enrolled in educational courses or seeking further education.

Table 22 Marital Problems

Total Cases	124	100.0%
Problems arising from:		
Desertion	30	24.2%
Separation	25	20.2%
Common-law union	66	53.2%
Conduct of the spouse	3	2.4%

Table 23 Residence

Total Cases	16	100.0%
Residence as:		
Municipal responsibility for welfare	2	12.5%
Pre-condition for assistance*	14	87.5%

* Refers to persons who were not considered to be resident in Ontario, such as persons on a visitor's visa.

Table 24 Special Personal Problems

Total Cases	600	100.0%	
Health condition*	526	87.7%	
Economic situation	5	0.8%	
Family or social facts	57	9.5%	
Other factors**	12	2.0%	

* Most cases refer to persons seeking disability benefits.

** A substantial part of these cases refer to students asking for benefits, though not qualified.

Table 25 Sponsorship of Immigrants

Total Cases	160	100.0%	
Problems arising from:			
Changed situation of sponsor	96	60.0%	
Changed situation of immigrant	49	30.6%	
Withdrawal of support by sponsor	15	9.4%	

Table 26 Financial Problems

Total Cases	647	100.0%
Insufficient funds	64	9.9%
Calculation of benefits	239	36.9%
Cost of home improvement	11	1.7%
Transfer of moneys	31	4.8%
Transfer of property	29	4.5%
Over-payment of assistance	139	21.5%
Shelter cost	20	3.1%
Cost of personal care	6	0.9%
Other purely financial facts*	108	16.7%

* In majority of cases appellants have excess assets or property.

Section Five

Comparative Tables by Years

Table 27 Comparison of Decisions by Years

Fiscal Year	1969/70	1970/71	1971/72	1972/73
Total	100.0%	100.0%	100.0%	100.0%
Appeal granted in full	47.0	29.5	26.1	24.2
Appeal granted in part	—	5.2	3.8	4.8
Appeal denied	53.0	65.3	70.1	71.0

Table 28 Decisions (Hearings) by Years

Fiscal Year	1969/70	1970/71	1971/72	1972/73
Number of appeals	504	878	1654	2011
Number of decisions (hearings)	264	648	1330	1791
Per cent	52.4	73.8	80.4	89.1

Note: The difference between the "number of appeals" and "number of decisions" is made up of

appeals withdrawn or decisions pending (see Table 1).

Table 29 Percentage Comparison by Programs

Fiscal Year	1969/70	1970/71	1971/72	1972/73
Total	100.0%	100.0%	100.0%	100.0%
Family Benefits	48.9	47.2	48.4	60.0
General Welfare Assistance	49.6	50.0	49.5	39.2
Rehabilitation	1.5	2.8	2.1	0.8

Table 30 Numerical and Percentage Growth of Appeals and Decisions (Hearings)
 1969/70 - 1972/73

Fiscal Year	APPLICATIONS FOR HEARING				DECISIONS (HEARINGS)	
	Number of Applications	Increase over Previous Year		Number of Decisions (Hearings)	Increase over Previous Year	
		Number	Per cent		Number	Per cent
1969/70	504	—	—	264	—	—
1970/71	878	374	74.2	648	384	145.5
1971/72	1654	776	88.4	1330	682	105.2
1972/73	2011	357	21.6	1791	461	34.8



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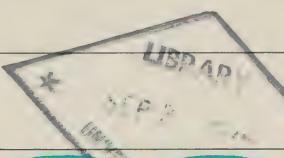
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Annual Report

Board of Review
1973-1974

Ministry of Community
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Fifth
Annual Report

Board of Review

Ministry of
Community and
Social Services

Statistical Data on
Operations and People
in the Appeals

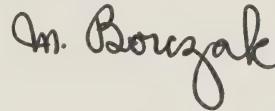
Fiscal Year 1973-74

Letter of Transmittal

The Honourable Rene Brunelle,
Minister of Community and Social Services.

Sir:

I am pleased to present the fifth Annual Report of
the Board of Review, Ministry of Community and Social Services.
This report covers the Fiscal Year ending March 31, 1974.

A handwritten signature in black ink that reads "M. Borczak". The signature is fluid and cursive, with the "M." being slightly larger than the "Borczak".

M. Borczak, Chairman
Board of Review

Board Members

Chairman

M. Borczak

Vice-Chairmen

Robert James Abbey
Robena J. Morris (Miss)
Henry J. Price

Members

Earl Armstrong
James Ballantyne
Desmond Bender
Norma Brown (Mrs.)
Norma Dool (Mrs.)
Leonard H. Ellins
Dolores Parent (Miss)
Lionel Vaillancourt
Uno Viegandt

Executive Secretary

Frank Mulrooney

Legal Counsel

Harold E. Fulton, Q.C.

Introduction

The Board of Review has completed its fifth year of operation, having been established under The Family Benefits Act in 1969. The purpose of the Board is to provide an avenue of appeal where an application for assistance is denied, where an allowance is cancelled, suspended or reduced or where the amount of assistance granted is in dispute. The Board's authority extends over The Family Benefits Act and The Vocational Rehabilitation Services Act, both of which are administered by the Province, and The General Welfare Assistance Act, which is administered by local municipalities.

The Board's members are appointed by the Lieutenant-Governor in Council for a term of three years and may be re-appointed. The Chairman of the Board of Review "may authorize one or more members to conduct a hearing and such member or members has or have all the powers of the Board for the purpose of such hearing and any decision of such member or members shall be a decision of the Board". As a rule, two members are appointed to conduct a hearing, although on occasion, one member only is appointed.

The powers of the Board are set out in the legislation as follows:

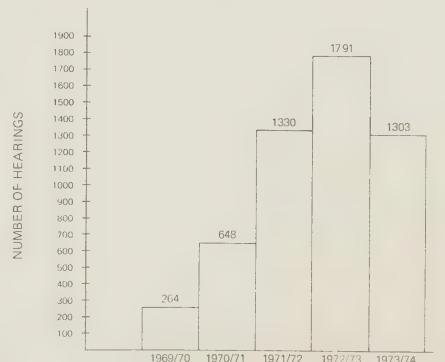
12. (10)Where, after a hearing, the board of review has reviewed the decision of the Director, the board may,
 - (a) affirm the decision;
 - (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or
 - (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the regulations,

and the Director shall give effect to any directions given by the board under this section.

Hearings are held in the community in which the appellant resides (Table 6), and frequently in the home of the appellant. To protect the privacy of the individual, the law requires that all hearings be held in camera. The hearings are conducted in a deliberately informal manner, every effort being made to make the appellant feel at ease and to afford him an opportunity to present his complaint as fully as possible. The Board gives its decision and order, if any, in writing, giving its reasons therefor.

The Board may, on application of any parties, reconsider and vary any decision made by it after a re-hearing. Any party to the proceedings may also appeal from the decision of the Board to the Supreme Court of Ontario on a question that is not a question of fact alone. The Court may affirm the decision of the Board of Review or may rescind it and refer the matter back to the Board or to the Director to be disposed of as the Court considers proper. Table 14 indicates that during the five-year period since the creation of the Board, nine cases were heard by the Court of Appeal and four were withdrawn.

During the course of the year, 1478 applications for a hearing were received (Table 1) of which 175 were withdrawn and 1303 proceeded to a hearing. This was a drop in number from the previous year, as illustrated in the following graph (see also Table 10):



The number of appeals granted by the Board rose from 29% in 1972/73 to 34% in 1973/74 (Table 11). An increasing proportion of the appeals heard were under the Provincially administered Family Benefits Act, almost 66% of the total (Table 12). This would be due to some degree to the transfer of assistance to the "permanently unemployable" from The General Welfare Assistance Act to The Family Benefits Act at the commencement of the fiscal year, thus refining further the distinction between those needy persons requiring "long-term" assistance under The Family Benefits Act from the Province and those whose needs are met by the municipalities on a "short-term" basis under The General Welfare Assistance Act.

In response to a considerable interest in the decisions of the Board, these are now published (commencing January 1, 1974), names of appellants being deleted to protect their confidentiality. This will provide an opportunity to those interested in studying the Board's decisions and perhaps thereby evaluate, to some extent, the effectiveness of the programs under the Board's jurisdiction.

Statistical Tables

Table 1 Number of Appeals
(April 1, 1973 – March 31, 1974)

Total Appeals	1,478	100.0%
Appeals Heard	1,303	88.2%
Appeals Withdrawn	175	11.8%

Table 2 Distribution by Programs

Total Cases Heard	1,303	100.0%
Family Benefits	857	65.8%
General Welfare Assistance	440	33.8%
Rehabilitation	6	0.4%

Table 3 Reason for Appeal by Programs

	Total Heard	Refusal	Cancellation or Suspension	Reduction	Amount
Total	1,303 (100%)	616 (47.3%)	261 (20.0%)	217 (16.6%)	209 (16.1%)
Family Benefits	857 (100%)	364 (42.5%)	150 (17.5%)	172 (20.1%)	171 (19.9%)
General Welfare Assistance	440 (100%)	246 (55.9%)	111 (25.2%)	45 (10.3%)	38 (8.6%)
Rehabilitation	6	6	—	—	—

Table 4 Decisions on Appeals by Programs

	Total Heard	Appeal Granted	Appeal Denied
Total	1,303 (100%)	443 (34.0%)	860 (66.0%)
Family Benefits	857 (100%)	323 (37.7%)	534 (62.3%)
General Welfare Assistance	440 (100%)	118 (26.8%)	322 (73.2%)
Rehabilitation	6	2	4

Note:— Supplementary measures, usually referral for Rehabilitation Services, were recommended in 125 cases

Table 5 Time Elapsed in Hearing

Appeals Heard	1,303	100.0%
Within 40 Day Period	1,281	98.3%
Over 40 Day Period	22	1.7%

Note:— 40 Days after receiving Form 6

Table 6 Geographic Location of Appellants

Metro Areas:	Appeals Heard	Per Cent
Hamilton	51	3.9
Kitchener	11	0.9
London	47	3.6
Ottawa	51	3.9
Sudbury	17	1.3
Toronto	429	32.9
Windsor	42	3.2
	648	49.7
Other Communities	655	50.3
	1,303	100.0

Table 6 Continued: Other Communities

Location	Total	Location	Total
Ajax	1	Cape Croker	1
Alexandria	1	Capreol	1
Amherstburg	5	Chaput Hughes	2
Arden	1	Chatham	4
Arnprior	5	Chelmsford	3
Arva	1	Chesley	1
Atikokan	2	Clarence Creek	1
Athens	1	Clarksburg	1
Ayton	1	Clarkson	1
Barrie	2	Clifford	2
Barry's Bay	1	Cobalt	1
Bath	3	Cobden	1
Battersea	1	Cobourg	2
Beaverton	1	Cochrane	1
Belgrave	1	Coldwater	1
Belle Ewart	1	Collingwood	2
Belle River	1	Cornwall	10
Belleville	11	Courtland	1
Berkeley	1	Crystal Beach	1
Bethany	1	Dashwood	1
Blenheim	1	Denbigh	1
Blind River	2	Douglas	1
Blossom Park	1	Dowling	1
Blyth	1	Dresden	3
Bobcaygeon	2	Dryden	1
Bolton	1	Dunnville	5
Bothwell	2	Eganville	2
Bracebridge	1	Eldorado	1
Bradford	2	Elliot Lake	2
Braeside	4	Embro	1
Brantford	9	Englehart	3
Brechin	1	Espanola	3
Bridgenorth	1	Fenelon Falls	3
Brockville	2	Fenwick	1
Brownsville	1	Field	3
Burford	2	Fort Erie	5
Burleigh Falls	2	Fort Frances	2
Burlington	7	Frankville	2
Callander	1	Gads Hill	1
Cambridge	5	Glenburnie	1
Campbellford	3	Glencoe	1

Table 6 continued

Location	Total	Location	Total
Goderich	5	Larder Lake	1
Godfrey	1	LaSalle	1
Golden Lake	2	Leamington	4
Gooderham	1	Lefroy	2
Gore Bay	1	Limoges	1
Gravenhurst	1	Lindsay	8
Green Valley	1	Lombardy	1
Guelph	6	L'Original	1
Haileybury	1	Lowbanks	1
Haldimand	3	Lunenburg	1
Hanmer	3	Maberly	1
Hanover	2	Madoc	2
Harrow	1	Magnetawan	1
Havelock	3	Maidstone	2
Hawkesbury	5	Manitowaning	2
Hearst	3	Matheson	1
Hepworth	1	Mattawa	5
Hillsburgh	1	Mattice	4
Holland Centre	1	Maxville	1
Holtyre	1	Melbourne	1
Ingersoll	3	Minden	1
Ingleside	1	Minnow Lake	1
Inverary	1	Mississauga	6
Iroquois	1	Morrisburg	1
Iroquois Falls	2	Mountain	1
Jackson's Point	2	Mountain Grove	1
Jogues	3	Mount Forest	1
Kakabeka Falls	1	Napanee	8
Kapuskasing	2	Navan	1
Kearns	1	New Liskeard	3
Kemptville	2	Newmarket	2
Kenora	1	Newton	1
Keswick	3	Niagara Falls	7
Kettleby	1	Niagara-on-the-Lake	2
Kettle Point Indian Reserve	1	Nipigon	1
Killaloe	2	Norland	2
Kingston	13	North Augusta	1
Kirkland Lake	8	North Bay	15
Lakefield	1	Northbrook	1
L'Amable	1	Norwood	3
Lanark	2	Oak Ridges	2

Table 6 continued

Location	Total	Location	Total
Oakville	2	St. Eugene	1
Odessa	1	St. Isidore De Prescott	1
Oil City	1	St. Marys	1
Orangeville	2	St. Thomas	1
Orillia	12	Sarnia	7
Orleans	1	Sault Ste. Marie	3
Oshawa	11	Schomberg	1
Owen Sound	6	Seabright	1
Paisley	2	Shedden	1
Palgrave	1	Shelburne	1
Palmerston	1	Simcoe	4
Parry Sound	1	Sioux Lookout	1
Pefferlaw	4	Sioux Narrows	1
Pembroke	7	Smiths Falls	9
Perth Road	1	Southampton	1
Peterborough	18	South Porcupine	1
Picton	1	South Woodslee	1
Pontypool	1	Spanish	1
Porcupine	1	Spencerville	1
Port Colborne	3	Stirling	1
Port Credit	3	Stoney Creek	2
Port Dover	2	Stouffville	1
Port Elgin	1	Stratford	2
Port Hope	1	Strathroy	5
Port McNicoll	1	Sturgeon Falls	6
Port Perry	1	Sutton	1
Port Rowan	1	Sutton West	3
Prescott	2	Thessalon	3
Priceville	1	Thunder Bay	10
Queensville	1	Tichbourne	1
Ramore	3	Tilbury	4
Renfrew	8	Tillsonburg	6
Richmond Hill	3	Timmins	14
River Drive Park	1	Tiverton	1
River Valley	1	Trenton	3
Roblin	2	Tweed	3
Roches Point	1	Udora	2
Roseneath	1	Utterson	1
Round Lake Centre	1	Val Gagne	1
St. Catharines	9	Val Therese	1
St. Charles	1	Vanier	5

Table 6 continued

Location	Total
Vankleek Hill	1
Verner	1
Vineland	1
Vittoria	1
Wainfleet	2
Walkerton	1
Wallaceburg	5
Warren	1
Wasaga Beach	4
Waterford	2
Webbwood	1
Welland	9
Wellington	2
Wendover	1
Westmeath	2
Whitby	5
Whitefish	1
Wiarton	2
Wilsonville	1
Wingham	1
Woodstock	3
Yarker	1
Total Cases heard	655

Table 7 Sex by Programs

	Total	Male	Female
Total Cases Heard	1,303 (100%)	560 (43.0%)	743 (57.0%)
Family Benefits	857 (100%)	320 (37.3%)	537 (62.7%)
General Welfare Assistance	440 (100%)	235 (53.4%)	205 (46.6%)
Rehabilitation	6	5	1

Table 8 Family Status by Programs

	Total	Married	Single	Widowed	Divorced	Not Stated
Total Cases Heard	1,303 (100%)	666* (51.1%)	253 (19.4%)	268 (20.6%)	84 (6.4%)	32 (2.5%)
Family Benefits	857 (100%)	415 (48.4%)	146 (17.0%)	198 (23.1%)	70 (8.2%)	28 (3.3%)
General Welfare Assistance	440 (100%)	249 (56.6%)	103 (23.4%)	70 (15.9%)	14 (3.2%)	4 (0.9%)
Rehabilitation	6	2	4	—	—	—

* Included in this figure are 152 mothers who are separated and 78 who are deserted.

Table 9 Age Groups by Programs

	Total	Under 20	20 - 29	30 - 49	50 - 69	70 and over	Not stated
Total Cases Heard	1,303 (100%)	57 (4.4%)	174 (13.3%)	422 (32.4%)	536 (41.1%)	32 (2.5%)	82 (6.3%)
Family Benefits	857 (100%)	19 (2.2%)	81 (9.4%)	274 (32.0%)	393 (45.9%)	19 (2.2%)	71 (8.3%)
General Welfare Assistance	440 (100%)	38 (8.6%)	89 (20.2%)	146 (33.2%)	143 (32.5%)	13 (3.0%)	11 (2.5%)
Rehabilitation	6	—	4	2	—	—	—

Table 10 Numbers of Appeals and Cases Heard by Years

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74
Number of Appeals	504	878	1,654	2,011	1,478
Number Heard	264	648	1,330	1,791	1,303
Per Cent	52.4	73.8	80.4	89.1	88.2

Note: The Difference between the "Number of Appeals" and "Number Heard" is made up of Appeals withdrawn (See Table 1)

Table 11 Percentage of Appeals Granted and Denied by Years

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74
Total	100.0%	100.0%	100.0%	100.0%	100.0%
Appeal Granted	47.0	34.7	29.9	29.0	34.0
Appeal Denied	53.0	65.3	70.1	71.0	66.0

Table 12 Percentage of Appeals Heard by Programs

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74
Total	100.0%	100.0%	100.0%	100.0%	100.0%
Family Benefits	48.9	47.2	48.4	60.0	65.8
General Welfare Assistance	49.6	50.0	49.5	39.2	33.8
Rehabilitation	1.5	2.8	2.1	0.8	0.4

Table 13 Numerical and Percentage Increase (Decrease) of Applications and Hearings

Fiscal Year	APPLICATIONS FOR HEARINGS			CASES HEARD		
	Number	Increase (Decrease) over Previous Year		Number	Increase (Decrease) over Previous Year	
	Number	Per cent		Number	Per cent	
1969/70	504	—	—	264	—	—
1970/71	878	374	74.2	648	384	145.5
1971/72	1,654	776	78.4	1,330	682	105.2
1972/73	2,011	357	21.6	1,791	461	34.8
1973/74	1,478	(533)	(26.5)	1,303	(488)	(27.2)

Table 14 Appeals to the Supreme Court of Ontario*

	<u>Appeals Heard</u>	<u>Appeals Withdrawn</u>	<u>Total</u>
1969/70	1	—	1
1970/71	1	—	1
1971/72	2	—	2
1972/73	3	3	6
1973/74	<u>2</u>	<u>1</u>	<u>3</u>
	9	4	13

*Divisional Court







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Sixth Annual Report **Social Assistance Review Board**

Fiscal Year 1974-1975



Ministry of
Community and
Social Services

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Letter of Transmittal

The Honourable James Taylor, Q.C.,
Minister of Community and Social Services

Sir:

I am pleased to present the sixth Annual Report of the Social Assistance Review Board, Ministry of Community and Social Services. This report covers the Fiscal Year ending March 31, 1975.

M. Borczak

M. Borczak,
Chairman
Social Assistance Review Board



Board Members

Chairman

M. Borczak

Vice-Chairmen

Robert James Abbey
Robena J. Morris
Henry J. Price

Members

Earl Armstrong
James Ballantyne
Desmond Bender
Norma Brown
Norma Dool
Leonard H. Ellins
Alene Holt
Dolores Parent
John Pianosi
Nino Poli-Cappelli
Alfred P. Simester
Lionel Vaillancourt
Uno Viegandt

Executive Secretary

Frank Mulrooney

Legal Counsel

Harold E. Fulton, Q.C.

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Introduction

The Board of Review was established in 1969 under the Family Benefits Act and its responsibilities and authority extended to three Acts, namely, The Family Benefits Act and The Vocational Rehabilitation Services Act, both administered by the Province, and The General Welfare Assistance Act which is administered by municipalities. The purpose of the Board is to provide an avenue of appeal where an application for assistance is denied, where an allowance is cancelled, suspended or reduced, or where the amount of assistance granted is in dispute.

On July 1, 1974, the jurisdiction of the Board was expanded to include a new program. On that date, The Ontario Guaranteed Annual Income Act, 1974, came into effect, administered by the Ministry of Revenue, to ensure a guaranteed annual income to Ontario residents sixty-five years of age and over. A monthly increment is provided up to certain guaranteed levels to persons actually residing in the Province who are in receipt of the Federal Old Age Security Pension and the related Guaranteed Income Supplement and to those who do not receive the Old Age Security Pension, but who are 65 years of age and over and meet certain residence requirements.* A right of appeal is provided to the Board of Review where an applicant is dissatisfied with a determination, direction or decision made by the Minister of Revenue with regard to entitlement to an increment or the amount to be paid, or the suspension, cancellation or reduction of an increment.

In December, 1974, the Legislature amended the legislation transferring the establishing authority for the Family Benefits Board of Review from The Family Benefits Act to The Ministry of Community and Social Services Act and changing the name of the Board to Social Assistance Review Board.

* The same guarantee levels were also extended to the blind and disabled under The Family Benefits Act, but not to those classified as permanently unemployable.

The Board's members are appointed by the Lieutenant-Governor in Council for a term of three years and may be re-appointed. The Chairman of the Board of Review "may authorize one or more members to conduct a hearing and such member or members has or have all the powers of the Board for the purpose of such hearing and any decision of such member or members shall be a decision of the Board". As a rule, two members are appointed to conduct a hearing, although on occasion, one member only is appointed.

The powers of the Board are set out in the legislation* as follows:

12. (10) Where, after a hearing, the Board of Review has reviewed the decision of the Director, the board may,
 - (a) affirm the decision;
 - (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or
 - (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the regulations,

and the Director shall give effect to any directions given by the board under this section.

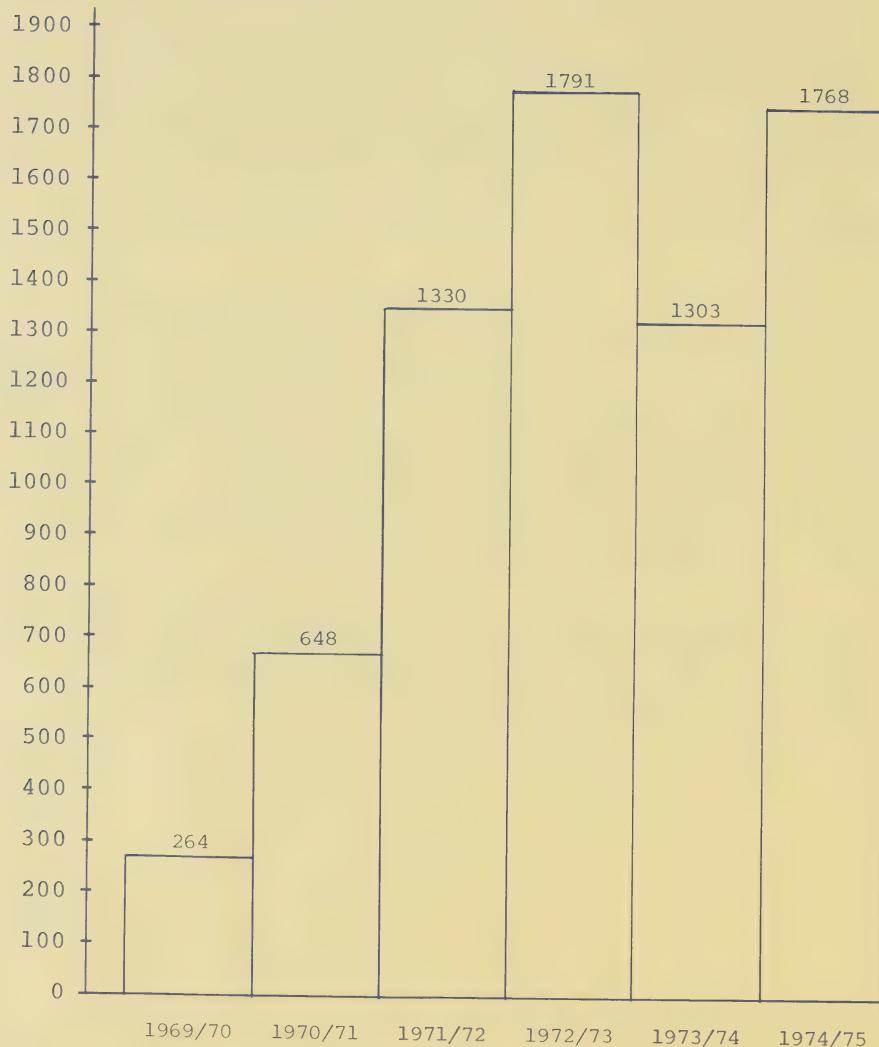
* The Family Benefits Act, section 12 (10)

Hearings are held in the community in which the appellant resides (Table 6), and frequently in the home of the appellant. To protect the privacy of the individual, the law requires that all hearings be held in camera. The hearings are conducted in a deliberately informal manner, every effort being made to make the appellant feel at ease and to afford him an opportunity to present his complaint as fully as possible. The Board gives its decision and order, if any, in writing, giving its reasons therefor. Decisions of the Board are also published, names of appellants being deleted to protect their confidentiality.

The Board may, on application of any parties, reconsider and vary any decision made by it after a re-hearing. Any party to the proceedings may also appeal from the decision of the Board to the Supreme Court of Ontario on a question that is not a question of fact alone. The Court may affirm the decision of the Board of Review or may rescind it and refer the matter back to the Board or to the Director to be disposed of as the Court considers proper. Table 14 indicates that during the six-year period since the creation of the Board, twelve cases were heard by the Court of Appeal and five were withdrawn.

During the course of the year, 2081 applications for a hearing were received (Table 1) of which 313 were withdrawn and 1768 proceeded to a hearing. This was an increase of 35.7 percent in the number of hearings over the previous year (Table 13).

Number of Hearings



The greatest proportion of the appeals heard were under the Provincially administered Family Benefits Act, up from 65.8% of the total heard in 1973-74 to 70.4% of the total heard in 1974-75 (Table 12). This would be due to some degree to the transfer of assistance to the "permanently unemployable" from The General Welfare Assistance Act to The Family Benefits Act at the commencement of fiscal year 1973-74, thereby refining further the distinction between those needy persons requiring "long-term" assistance under The Family Benefits Act from the Province and those whose needs are met by the municipalities on a "short-term" basis under The General Welfare Assistance Act.

In Table 4, it will be seen that assistance was refused under The Family Benefits Act in 60.8% of the cases because of a finding by the Director, on the advice of the Medical Advisory Board, that the applicant was not considered to be permanently unemployable or disabled within the meaning of the legislation. In the case of General Welfare Assistance, the largest single group (41.6%) of refusals was for the reason that a welfare administrator was not satisfied that the applicant for assistance was making reasonable efforts to secure employment and that the continuing unemployment is due to circumstances beyond the control of the applicant. Furthermore, 40.3% of cases cancelled or suspended was for the same reason.

Table 1: Number of Appeals

Total Appeals	2081	100%
Appeals Heard	1768	85%
Appeals Withdrawn	313	15%

Table 2:
Disposition of Appeals Heard by Programs

Total Cases Heard	1768	100.0%
Family Benefits	1245	70.4%
General Welfare Assistance	495	28.0%
Rehabilitation Services	17	1.0%
Ontario Guaranteed Annual Income (GAINS)*	11	0.6%

* Administered by Ministry of Revenue

Table 3: Basis for Appeal

	Total Heard	Refusal	Suspension	Reduction	Amount	Cancellation or Suspension	Other
Total	1768 (100%)	991 (56.1%)	301 (17.0%)	213 (12.1%)	232 (13.1%)	31 (1.7%)	
Family Benefits	1245 (100%)	646 (51.9%)	181 (14.5%)	190 (15.3%)	199 (16.0%)	29 (2.3%)	
General Welfare Assistance	495 (100%)	320 (64.7%)	119 (24.0%)	23 (4.5%)	31 (6 .3%)	3 (0 .4%)	
Rehabilitation Services	17 (100%)	15 (88.2%)	1 (5 .9%)	--	1 (5 .9%)	--	
GAINS – Ministry of Revenue	11 (100%)	10 (90.9%)	--	--	1 (9 .1%)	--	

Table 4: Reasons for Refusal and Cancellation

<u>Refusal</u>					
	FBA	GWA	REHAB	GAINS	TOTAL
Not Considered Disabled (Rehab.)	--	--	7 (46.6)	--	7 (0.7)
Not Considered Permanently Unemployable or Disabled	393 (60.8)	--	--	--	393 (39.7)
Sponsored Immigrant	31 (4.8)	37 (11.6)	--	--	68 (6.9)
Not Living as a Single Person	18 (2.8)	30 (9.4)	--	--	48 (4.8)
Not Making Effort to Obtain Support	39 (6.1)	6 (1.9)	--	--	45 (4.5)
Not Making Effort to Obtain Employment	--	133 (41.6)	1 (6.7)	--	134 (13.5)
Income in Excess	42 (6.5)	34 (10.6)	--	1 (10.0)	77 (7.8)
Assets in Excess	44 (6.8)	24 (7.5)	1 (6.7)	--	69 (7.0)
Transfer of Property	21 (3.2)	2 (0.6)	--	--	23 (2.3)
Not Deserted	27 (4.2)	--	--	--	27 (2.7)
Child Not in Care	2 (0.3)	2 (0.6)	--	--	4 (0.4)
Other	29 (4.5)	52 (16.2)	6 (40.0)	9 (90.0)	96 (9.7)
Total	646 (100.0)	320 (100.0)	15 (100.0)	10 (100.0)	991 (100.0)

FBA -- Family Benefits

GWA -- General Welfare Assistance

or Suspension of Assistance

Cancellation or Suspension

	FBA	GWA	REHAB	GAINS	TOTAL
Not Considered Disabled (Rehab.)	--	--	1 (100.0)	--	1 (0.3)
Not Considered Permanently Unemployable or Disabled	32 (17.7)	--	--	--	32 (10.6)
Sponsored Immigrant	1 (0.6)	4 (3.4)	--	--	5 (1.6)
Not Living as a Single Person	43 (23.8)	24 (20.2)	--	--	67 (22.3)
Not Making Effort to Obtain Support	4 (2.2)	3 (2.5)	--	--	7 (2.3)
Not Making Effort to Obtain Employment	--	48 (40.3)	--	--	48 (16.0)
Income in Excess	34 (18.8)	14 (11.8)	--	--	48 (16.0)
Assets in Excess	20 (11.0)	19 (16.0)	--	--	39 (13.0)
Transfer of Property	12 (6.6)	1 (0.8)	--	--	13 (4.3)
Not Deserted	3 (1.7)	--	--	--	3 (1.0)
Child Not in Care	16 (8.8)	--	--	--	16 (5.3)
Other	16 (8.8)	6 (5.0)	--	--	22 (7.3)
Total	181 (100.0)	119 (100.0)	1 (100.0)	--	301 (100.0)

REHAB -- Rehabilitation Services

GAINS -- Ministry of Revenue

Table 5: Disposition of Appeals

	Total Heard	Appeal Granted	Appeal Denied	Referred Back
Total	1768 (100%)	303 (17.1%)	1288 (72.8%)	177 (10.1%)
Family Benefits	1245 (100%)	242 (19.4%)	844 (67.8%)	159 (12.8%)
General Welfare Assistance	495 (100%)	58 (11.7%)	422 (85.3%)	15 (3.0%)
Rehabilitation Services	17 (100%)	3 (17.7%)	11 (64.7%)	3 (17.6%)
GAINS - Ministry of Revenue	11 (100%)	--	11 (100.0%)	--

Note: Decision reached in 95% of cases, within the prescribed period of 40 days from date of receiving application (Form 1) for Hearing.

Table 6:
Geographical Location of Applicants

	1974/1975		1973/1974	
	Appeals Heard	Percent	Appeals Heard	Percent
Major Cities				
Population 100,00 and Over*				
Metro Toronto	443	25.1	429	32.9
Hamilton	39	2.2	51	3.9
Ottawa	62	3.5	51	3.9
London	46	2.6	47	3.6
Mississauga	7	0.4	6	0.5
Windsor	66	3.7	42	3.2
Kitchener	16	0.9	11	0.9
St. Catharines	23	1.3	9	0.7
Thunder Bay	11	0.6	10	0.8
Oshawa	9	0.5	11	0.8
Total	722	40.5	667**	51.2
Other Communities	1046	59.2	636	48.8
Total Appeals Heard	1768	100.0%	1303	100.0%

Note: The list of major cities has been revised to include only cities having a population of 100,000 and over. Therefore, the cities of Mississauga, St. Catharines, Thunder Bay and Oshawa were added and Sudbury deleted.

* Source: Ontario Municipal Directory

** The numbers for 1973/74 have been re-stated where necessary to report on a basis consistent with that used in 1974/75.

Table 6 (continued)

Community	Appeals	Community	Appeals
Ajax	1	Beamsville	3
Alexandria	4	Beaverton	1
Alfred	2	Belle River	1
Allenford	1	Belle Vallee	1
Almonte	3	Belleville	15
Alton	1	Bethany	1
Alvinston	1	Bissett Creek	1
Amherstburg	5	Blenheim	2
Amherstview	1	Blind River	1
Angus	1	Bloomfield	1
Apple Hill	1	Bobcaygeon	2
Arnprior	3	Bonfield	2
Atherley	1	Bothwell	2
Atikokan	1	Bowmanville	1
Aurora	1	Bradford	1
Ayton	2	Braeside	2
Azilda	2	Brantford	29
Bainsville	1	Bright	1
Balderson	1	Brighton	1
Baltimore	2	Brinston	2
Bancroft	2	Brockville	3
Barrie	7	Bruce Mines	1
Barry's Bay	4	Brussels	1
Battersea	2	Burford	1

Community	Appeals	Community	Appeals
Burlington	12	Cobourg	1
Burnstown	1	Cochrane	7
Cache Bay	2	Colborne	1
Caledonia	1	Collingwood	4
Cambria	1	Cookstown	1
Cambridge	5	Cooksville	1
Cameron	1	Corbyville	1
Cannington	2	Cornwall	31
Carleton Place	1	Courtland	1
Cartier	2	Crystal Beach	2
Cayuga	3	Cumberland	1
Centreville	1	Dalkeith	2
Chapleau	3	Delaware	2
Charlton	1	Delhi	2
Chatham	20	Deseronto	3
Chelmsford	3	Dorchester	1
Chesterville	2	Douglas	3
Chute-Au-Blondeau	1	Dover Centre	1
Claremont	1	Dryden	3
Clarence Creek	1	Dundalk	2
Clifford	2	Dundas	1
Clinton	2	Dunnville	3
Cobalt	2	Dunvegan	1
Cobden	1	Durham	5

Community	Appeals	Community	Appeals
Dutton	2	Georgetown	2
Eganville	5	Gilmour	1
Egmondville	1	Glencoe	1
Elmvale	1	Glen Robertson	1
Elmwood	1	Goderich	4
Embrun	4	Godfrey	2
Enterprise	1	Gogama	1
Espanola	1	Golden Lake	2
Essex	1	Gore Bay	1
Exeter	2	Goulais River	1
Fauquier	1	Grand Valley	3
Fenelon Falls	1	Gravenhurst	2
Fergus	2	Griffith	1
Field	3	Grimsby	1
Finch	2	Guelph	8
Foleyet	1	Hagersville	1
Forest	2	Haley Station	3
Formosa	1	Hanmer	1
Fort Erie	2	Hanover	2
Fort Frances	2	Harriston	1
Fournier	2	Harrowsmith	1
Foxboro	1	Hastings	2
Frankford	1	Havelock	6
Gananoque	3	Hawkesbury	11

Community	Appeals	Community	Appeals
Hawkestone	1	Kingsville	4
Hearst	9	Kirkfield	1
Hepworth	1	Kirkland Lake	12
Highgate	1	Lakefield	4
Holland Centre	1	L'Amable	1
Holstein	1	Lambeth	1
Holtyre	2	Lanark	3
Huron Park	2	Lancaster	1
Ingersoll	7	Larder Lake	1
Inverary	1	Lasalle	1
Iona Station	1	Leamington	6
Iron Bridge	1	Levack	1
Iroquois	1	Limoges	1
Iroquois Falls	3	Lindsay	5
Jogues	1	Lion's Head	1
Kakabeka Falls	1	Little Current	1
Kapuskasing	7	Long Sault	1
Keewatin	1	L'Orignal	7
Kemptville	1	Loring	2
Kenora	2	Lucknow	1
Keswick	1	Lyn	1
Kettleby	3	Maidstone	2
Killaloe	1	Mallorytown	1
Killarney	1	Manitowaning	1
Kingston	36	Maple	1

Community	Appeals	Community	Appeals
Maple Leaf	1	Newburgh	1
Marmora	1	Newbury	2
Martintown	3	Newington	1
Massey	1	New Liskeard	3
Matheson	2	Newmarket	1
Mattawa	3	Niagara Falls	16
Mattice	2	Niagara-on-the-lake	1
Maxville	1	Norland	2
Meaford	1	North Augusta	1
Merlin	2	North Bay	11
Merrickville	2	Northbrook	1
Midland	3	Norwood	4
Millbrook	1	Oak Ridges	2
Minden	1	Oakville	5
Minnitaki	1	Odessa	3
Mooretown	1	Ohsweken	1
Moose Creek	1	Oldcastle	1
Morpeth	1	Omemee	2
Morrisburg	2	Orangeville	3
Mount Brydges	1	Orillia	9
Mount Elgin	1	Orleans	2
Murillo	1	Owen Sound	6
Nairn Centre	2	Paincourt	1
Napanee	16	Palmerston	1
Nashville	1	Parham	1
Newboro	1	Paris	2

Community	Appeals	Community	Appeals
Parry Sound	6	Renfrew	13
Pefferlaw	3	Richmond Hill	2
Pembroke	6	Ridgetown	1
Penetang	3	River Valley	1
Perth	1	Roblin	1
Perth Road	1	Rockland	2
Petawawa	2	Rodney	1
Peterborough	33	Roslin	1
Petrolia	1	St. Charles	2
Picton	1	St. Isidore De Prescott	1
Plainfield	1	St. Mary's	1
Plantagenet	2	St. Pashal Baylon	1
Pontypool	1	St. Thomas	2
Porcupine	1	Sarnia	13
Port Colborne	4	Sault Ste. Marie	7
Port Dover	1	Scotland	1
Port Hope	1	Seaforth	1
Port Severn	1	Sebright	1
Port Stanley	1	Seeley's Bay	1
Prescott	4	Selkirk	1
Proton Station	1	Shallow Lake	1
Rama	1	Sharbot Lake	4
Ramore	1	Sheguiandah	1
Red Lake Road	1	Shelburne	1
Red Rock	1	Simcoe	5

Community	Appeals	Community	Appeals
Smiths Falls	10	Thorne	1
Smooth Rock Falls	2	Thornhill	6
Sombra	1	Thorold	2
Southampton	3	Thornton	1
South Lancaster	1	Tichborne	1
South River	1	Tilbury	3
Spanish	2	Tillsonburg	8
Spencerville	3	Timmins	20
Springfield	1	Tobermory	1
Stayner	2	Trenton	4
Sterling	1	Trent River	1
Stoney Creek	2	Tupperville	1
Stouffville	1	Tweed	2
Stratford	6	Uxbridge	2
Strathroy	3	Val Gagne	2
Stroud	2	Vanier	4
Sturgeon Falls	8	Vankleek Hill	5
Sudbury	30	Vermillion Bay	2
Sundridge	1	Verner	2
Sutton West	1	Victoria Harbour	1
Tamworth	2	Wahnapietae	1
Tara	1	Wallaceburg	4
Tecumseh	4	Walsingham	1
Terra Cotta	1	Walton	1
Thamesford	3	Wardsville	1
Thamesville	3	Wasaga Beach	4
Thorndale	1	Washago	1

Community	Appeals	Community	Appeals
Waterford	2	Williamsburg	2
Waterloo	2	Williamstown	1
Wawa	1	Wilsonville	1
Welland	16	Windham	1
Wellandport	1	Wingham	1
Wendover	1	Woodslee	2
West Bay	1	Woodstock	15
West Lorne	1	Wooler	2
Whitby	1	Wroxeter	1
Whitefish Falls	1	Yarker	1
Wiarton	3	Zurich	1
Wilcox Lake	2		
<hr/> Total			1046

Table 7: Distribution by Sex

	Total	Male	Female
Total Cases Heard	1768 (100%)	808 (45.7%)	960 (54.3%)
Family Benefits	1245 (100%)	503 (40.4%)	742 (59.6%)
General Welfare Assistance	495 (100%)	288 (58.2%)	207 (41.8%)
Rehabilitation Services	17 (100%)	14 (82.4%)	3 (17.6%)
GAINS – Ministry of Revenue	11 (100%)	3 (27.3%)	8 (72.7%)

Table 8: Family Status

	Total	Married	Single	Widowed	Divorced	Not Stated
Total Cases Heard	1768 (100%)	817 (46.2%)	469 (26.5%)	317 (17.9%)	139 (7.9%)	26 (1.5%)
Family Benefits	1245 (100%)	573 (46.0%)	291 (23.4%)	264 (21.2%)	106 (8.5%)	11 (0.9%)
General Welfare Assistance	495 (100%)	234 (47.3%)	168 (33.9%)	48 (9.7%)	32 (6.5%)	13 (2.6%)
Rehabilitation Services	17 (100%)	7 (41.2%)	10 (58.8%)	--	--	--
GAINS – Ministry of Revenue	11 (100%)	3 (27.3%)	--	5 (45.4%)	1 (9.1%)	2 (18.2%)

Table 9: Age Groups

	Total	Under 20	20 - 29	30 - 49	50 - 69	Over 70	and Not Stated
Total Cases Heard	1768 (100%)	107 (6.1%)	288 (16.3%)	591 (33.4%)	704 (39.8%)	46 (2.5%)	32 (1.8%)
Family Benefits	1245 (100%)	39 (3.1%)	144 (11.6%)	434 (34.9%)	589 (47.3%)	27 (2.2%)	12 (0.9%)
General Welfare Assistance	495 (100%)	64 (12.9%)	134 (27.1%)	154 (31.1%)	114 (23.0%)	11 (2.2%)	18 (3.7%)
Rehabilitation Services	17 (100%)	4 (23.5%)	10 (58.8%)	3 (17.7%)	--	--	--
GAINS - Ministry of Revenue	11 (100%)	--	--	--	1 (9.1%)	8 (72.7%)	2 (18.2%)

Table 10:
Number of Appeals and Hearings by Years

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75
Number of Appeals	504	878	1654	2011	1478	2081
Number Heard	264	648	1330	1791	1303	1768
Percent	52.4	73.8	80.4	89.1	88.2	85.0

Note: The difference between the 'Number of Appeals' and 'Number Heard' is made up of Appeals Withdrawn (see Table 1)

Table 11:
Percentage of Appeals Granted and Denied by Years

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Appeal Granted	47.0	34.7	29.9	29.0	34.0	17.1
Appeal Denied	53.0	65.3	70.1	71.0	66.0	72.8
Referred Back	--	--	--	--	--	10.1

Table 12:
Percentage of Appeals Heard by Programs

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Family Benefits	48.9	47.2	48.4	60.0	65.8	70.4
General Welfare Assistance	49.6	50.0	49.5	39.2	33.8	28.0
Rehabilitation Services	1.5	2.8	2.0	0.8	0.4	1.0
GAINS - Ministry of Revenue	--	--	--	--	--	0.6

Table 13: Numerical and Percentage Increase/Decrease of Applications and Hearings

Applications for Hearing			Cases Heard		
Fiscal Year	Number	Increase/Decrease Over Previous Year	Number	Increase/Decrease Over Previous Year	
	Number	Percent		Number	Percent
1969/1970	504		264		
1970/1971	878	374	74.2	648	384
1971/1972	1654	776	78.4	1330	682
1972/1973	2011	357	21.6	1791	461
1973/1974	1478	(533)	(26.5)	1303	(488)
1974/1975	2081	603	40.8	1768	465

Table 14:
Appeals to the Supreme Court of Ontario

	Appeals Heard	Appeals Withdrawn	Total
1969/1970	1	-	1
1970/1971	1	-	1
1971/1972	2	-	2
1972/1973	3	3	6
1973/1974	2	1	3
1974/1975	3	1	4
Total	12	5	17

* Divisional Court

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Seventh Annual Report **Social Assistance Review Board**

Fiscal Year 1975 - 1976



Ontario

Ministry of
Community and
Social Services

Letter of Transmittal

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- A 56

The Honourable James Taylor, Q.C.
Minister of Community and Social Services

Sir:

I am pleased to present the seventh Annual Report of the Social Assistance Review Board. This report covers the fiscal year ending March 31, 1976.



M. Borczak, Chairman
Social Assistance Review Board

Board Members

Chairman

M. Borczak

Vice-Chairmen

Robert James Abbey
Robena J. Morris
Henry J. Price

Members

Earl Armstrong
James Ballantyne
Desmond Bender
Norma Brown
Norma Dool
Leonard H. Ellins
Alene Holt
Ronald J.A. McMaster
Dolores Parent
John Pianosi
Nino Poli-Cappelli
Alfred P. Simester
Lionel Vaillancourt
Uno Viegandt

Executive Secretary

Frank Mulrooney

Legal Counsel

Harold E. Fulton, Q.C.

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Introduction

The Board of Review was established in 1969 under the Family Benefits Act and its responsibilities and authority extended to three Acts, namely, The Family Benefits Act and The Vocational Rehabilitation Services Act, both administered by the Province, and The General Welfare Assistance Act which is administered by municipalities. The purpose of the Board is to provide an avenue of appeal where an application for assistance is denied, where an allowance is cancelled, suspended or reduced, or where the amount of assistance granted is in dispute.

On July 1, 1974, the jurisdiction of the Board was expanded to include the Ontario Guaranteed Annual Income program (administered by Ministry of Revenue) which provides a guaranteed annual income to Ontario residents sixty-five years of age and over.

In December, 1974, the Legislature amended the legislation transferring the establishing authority for the Family Benefits Board of Review from the Family Benefits Act to The Ministry of Community and Social Services Act and changing the name of the Board to Social Assistance Review Board.

The Board's members are appointed by the Lieutenant-Governor in Council for a term of three years and may be reappointed. The Chairman of the Board of Review "may authorize one or more members to conduct a hearing and such member or members has or have all the powers of the Board for the purpose of such hearing and any decision of such member or members shall be a decision of the Board". As a rule, two members are appointed to conduct a hearing, although on occasion, one member only is appointed.

The powers of the Board are set out in the legislation* as follows:

12. (10) Where, after a hearing, the Board of Review has reviewed the decision of the Director, the Board may,
- (a) affirm the decision;
 - (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or
 - (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the regulations,

and the Director shall give effect to any directions given by the board under this section.

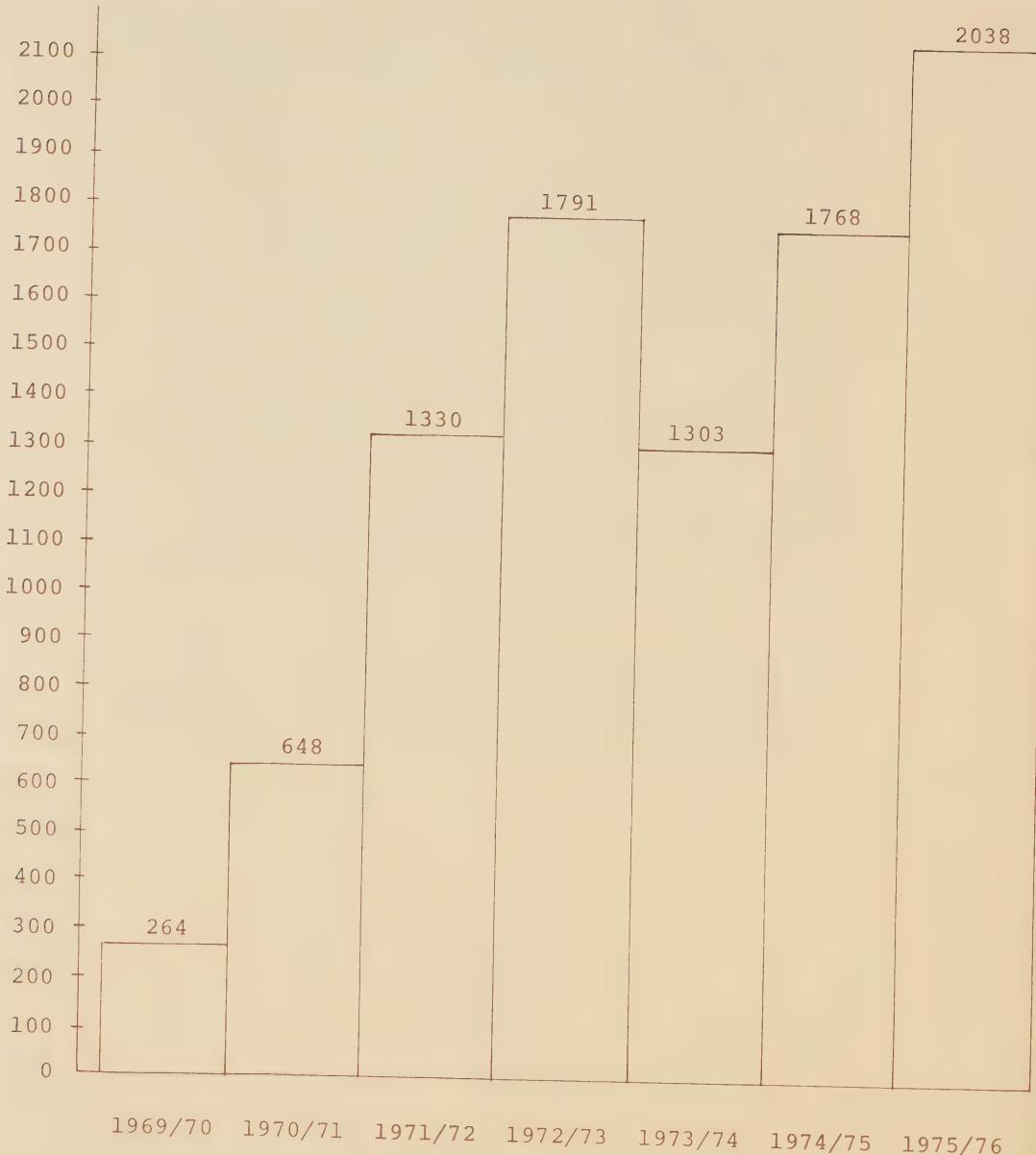
* The Family Benefits Act, section 12 (10)

Hearings are held in the community in which the appellant resides (Table 7) and frequently in the home of the appellant. To protect the privacy of the individual, the law requires that all hearings be held in camera. The hearings are conducted in a deliberately informal manner, every effort being made to make the appellant feel at ease and to afford him an opportunity to present his complaint as fully as possible. The Board gives its decision and order, if any, in writing, giving its reasons therefore. Decisions of the Board are also published, names of appellants being deleted to protect their confidentiality.

The Board may, on application of any parties, consider and vary any decision made by it after a re-hearing. Any party to the proceedings may also appeal from the decision of the Board to the Supreme Court of Ontario (Divisional Court) on a question that is not a question of fact alone. The Court may affirm the decision of the Board of Review or may recind it and refer the matter back to the Board or to the Director to be disposed of as the Court considers proper. Table 15 indicates that during the seven-year period since the creation of the Board, fourteen cases were heard by the Court of Appeal and five were withdrawn.

During the course of the year, 2424 applications for a hearing were received (Table 1) of which 386 were withdrawn and 2038 proceeded to a hearing. This was an increase of 15.3 percent in the number of hearings over the previous year (Table 14).

Number of Hearings



The largest proportion (54.3%) of the appeals heard was under the Provincially administered Family Benefits Act, down from 70.4% of the total heard in 1974-75 (Table 13).

In Table 4, it will be seen that assistance was refused under The Family Benefits Act in 51.8% of the cases because of a finding by the Director, on the advice of the Medical Advisory Board, that the applicant was not considered to be permanently unemployable or disabled within the meaning of the legislation. In the case of General Welfare Assistance, the largest single group (48.5%) of refusals was for the reason that a welfare administrator was not satisfied that the applicant for assistance was making reasonable efforts to secure employment and that the continuing unemployment was due to circumstances beyond the control of the applicant. Furthermore, 56.9% of cases cancelled or suspended was for the same reason.

Statistical Tables

Table 1: Number of Appeals

Total Appeals	2424	100%
Appeals Heard	2038	84%
Appeals Withdrawn	386	16%

Table 2: Disposition of Appeals Heard by Programs

Total Cases Heard	2038	100%
Family Benefits	1106	54.3
General Welfare Assistance	840	41.2
Rehabilitation Services	87	4.3
Ontario Guaranteed Annual Income (GAINS)*	5	0.2

* Administered by Ministry of Revenue

Table 4: Reasons for Refusal of Assistance

Refusal

	FBA	GWA	REHAB	GAINS-A	TOTAL
Not Considered Disabled (Rehab.)	-	-	29 (38.2%)	-	29 (2.4%)
Not Considered Permanently Unemployable or Disabled	320 (51.8%)	-	-	-	320 (26.9%)
Sponsored Immigrant	25 (4.0%)	29 (6.0%)	-	-	54 (4.5%)
Not Living as a Single Person	20 (3.2%)	41 (8.3%)	-	-	61 (5.1%)
Not Making Effort to Obtain Support	43 (7.0%)	13 (2.6%)	-	-	56 (4.7%)
Not Making Effort to Obtain Employment	-	-	239 (48.5%)	-	239 (20.1%)
Income in Excess	58 (9.4%)	41 (8.3%)	1 (1.3%)	-	100 (8.4%)
Assets in Excess	67 (10.9%)	49 (9.9%)	-	-	116 (9.7%)
Transfer of Property	21 (3.4%)	7 (1.4%)	-	-	28 (2.4%)
Not Deserted	39 (6.3%)	-	-	-	39 (3.3%)
Child Not in Care	2 (0.3%)	1 (0.2%)	-	-	3 (0.3%)
Other	23 (3.7%)	73 (14.8%)	46 (60.5%)	4 (100%)	146 (12.2%)
Total	618 (100.0%)	493 (100.0%)	76 (100.0%)	4 (100%)	1191 (100.0%)

Table 5:
Reasons for Cancellation or Suspension of Assistance

	FBA	GWA	REHAB	GAINS-A	TOTAL
Not Considered Disabled (Rehab.)	-	-	2 (33.3%)	-	2 (0.4%)
Not Considered Permanently Unemployable or Disabled	5 (3.0%)	-	-	-	5 (1.1%)
Sponsored Immigrant	-	4 (1.5%)	-	-	4 (0.9%)
Not Living as a Single Person	67 (39.6%)	41 (15.0%)	-	-	108 (24.1%)
Not Making Effort to Obtain Support	3 (1.8%)	4 (1.5%)	-	-	7 (1.6%)
Not Making Effort to Obtain Employment	-	156 (56.9%)	-	-	156 (34.7%)
Income in Excess	34 (20.1%)	30 (10.9%)	-	-	64 (14.3%)
Assets in Excess	26 (15.4%)	22 (8.0%)	-	-	48 (10.7%)
Transfer of Property	8 (4.7%)	3 (1.1%)	-	-	11 (2.4%)
Not Deserted	3 (1.8%)	-	-	-	3 (0.7%)
Child Not in Care	8 (4.7%)	-	-	-	8 (1.8%)
Other	15 (8.9%)	14 (5.1%)	4 (66.7%)	-	33 (7.3%)
Total	169 (100.0%)	274 (100.0%)	6 (100.0%)	-	449 (100.0%)

Table 6: Disposition of Appeals

	Total Heard	Appeal Granted	Appeal Denied	Referred Back	No Jurisdiction
Total	2038 (100%)	323 (15.9%)	1568 (76.9%)	134 (6.6%)	13 (0.6%)
Family Benefits	1106 (100%)	207 (18.7%)	777 (70.3%)	115 (10.4%)	7 (0.6%)
General Welfare Assistance	840 (100%)	84 (10.0%)	739 (88.0%)	12 (1.4%)	5 (0.6%)
Rehabilitation Services	87 (100%)	32 (36.8%)	47 (54.0%)	7 (8.1%)	1 (1.1%)
GAINS - Ministry of Revenue	5 (100%)		5 (100%)		

Table 7: Geographical Location of Applicants

	1975/76		1974/75	
	Appeals Heard	Percent	Appeals Heard	Percent
Major Cities				
Population 100,000 & Over*				
Burlington	16	0.8	12	0.7
Hamilton	43	2.1	39	2.2
Kitchener	18	0.9	16	0.9
London	45	2.2	46	2.6
Metro Toronto	456	22.4	443	25.1
Mississauga	19	0.9	7	0.4
Oshawa	6	0.3	9	0.5
Ottawa	76	3.7	62	3.5
St. Catharines	20	1.0	23	1.3
Thunder Bay	21	1.0	11	0.6
Windsor	96	4.7	66	3.7
Total	816	40.0	734**	41.5
Other Communities	1222	60.0	1034	58.5
Total Appeals Heard	2038	100.0%	1768	100.0%

Note: The list of Major Cities has been revised to include the City of Burlington.

* Source: Ontario Municipal Directory 1976

** The numbers for 1974/75 have been restated to adjust for the inclusion of Burlington under "Major Cities".

Table 7 (continued)

Community	Appeals	Community	Appeals
Acton	1	Beaverton	1
Ailsa Craig	1	Beeton	1
Alban	1	Belle River	1
Alexandria	3	Belle Valle	1
Alfred	2	Belleville	29
Almonte	2	Belwood	1
Amherstburg	1	Blenheim	1
Amherstview	1	Blind River	3
Angus	2	Bobcaygeon	1
Apsley	2	Bonfield	2
Arnprior	2	Bowmanville	1
Arthur	3	Bracebridge	3
Ashton	1	Bradford	1
Astra	1	Braeside	1
Atkins	1	Bramalea	1
Aurora	3	Brampton	6
Aylmer	2	Brantford	26
Badjeros	1	Brighton	5
Bancroft	6	Brinston	1
Barrie	11	Britt	1
Barry's Bay	4	Brockville	2
Bath	2	Bruce Mines	2
Bayfield	1	Brunner	1
Beachville	1	Burgessville	1

Community	Appeals	Community	Appeals
Burks Falls	1	Coatsworth	1
Cache Bay	1	Cobalt	1
Callander	2	Cobden	1
Cambridge	9	Cobourg	2
Campbellford	1	Cochrane	4
Cannifton	1	Colborne	2
Caramat	1	Coldwater	2
Cardinal	1	Collingwood	1
Cargill	1	Combermere	1
Carleton Place	6	Conn	1
Casselman	1	Consecon	1
Castleton	1	Corbeil	2
Cayuga	1	Corbyville	1
Chalk River	3	Cornwall	8
Chapleau	3	Courtland	1
Charlton Station	2	Crystal Beach	2
Chatham	24	Cumberland Beach	1
Chelmsford	1	Dacre	1
Chepstow	1	Dashwood	1
Chesterville	1	Delhi	5
Clarksburg	1	Delta	1
Clear Creek	2	Demorestville	1
Clifford	1	Denbigh	2
Clinton	5	Deseronto	5

Community	Appeals	Community	Appeals
Hagar	2	Keswick	4
Hagersville	5	Killaloe	3
Hanmer	1	Kilworthy	1
Hanover	3	Kingston	31
Harriston	1	Kinmount	2
Harrow	3	Kintore	1
Havelock	5	Kirkland Lake	16
Hawkesbury	15	Lakefield	5
Hearst	15	Lambeth	1
Hensall	1	Lanark	4
Hepworth	1	Lancaster	1
Hickson	1	Langton	1
Hillsburg	1	Lasalle	1
Hornepayne	1	Leamington	4
Huntsville	5	Lefroy	1
Indian River	1	Levack	1
Ingersoll	8	Lindsay	7
Ingleside	3	Lions Head	1
Innerkip	1	Listowel	3
Iroquois	2	Little Britain	1
Iroquois Falls	2	Little Current	1
Jogues	1	Longford Mills	1
Kaladar	2	Long Point Beach	1
Kapuskasing	13	Lucknow	1

Community	Appeals	Community	Appeals
Lunenburg	1	Mitchell	1
Mactier	1	Monkland	1
Maidstone	1	Monkton	1
Mallorytown	1	Monteith	1
Manitouwadge	1	Moonbeam	1
Manitowaning	1	Morrisburg	1
Manotick	1	Mount Forest	4
Marlbank	1	Muncey	1
Marlborough	1	Napanee	10
Markham	1	Naughton	1
Marmora	3	New Liskeard	3
Matheson	1	Newmarket	5
Mattawa	6	Niagara Falls	26
Mattice	4	Nipigon	4
Maxwell	1	Noelville	1
Maynooth	2	Nolalu	3
McGregor	1	Norland	1
McKerrow	1	North Bay	23
Meaford	3	North Cobalt	2
Merrickville	1	Norwich	1
Metcalfe	1	Norwood	5
Midland	6	Oak Ridges	2
Milton	3	Oakville	9
Minden	2	Odessa	2

Community	Appeals	Community	Appeals
Ohsweken	1	Port Colborne	3
Omemee	2	Port Dover	1
Opasatika	1	Port Elgin	2
Orangeville	2	Port Hope	1
Orillia	11	Port McNicoll	3
Orleans	1	Port Rowan	2
Owen Sound	9	Port Severn	2
Palmer Rapids	2	Powassan	1
Palmerston	1	Prescott	3
Paris	3	Princeton	1
Parkhill	1	Proton	1
Parry Sound	1	Providence Bay	1
Pefferlaw	2	Rainy River	1
Pembroke	7	Ramore	2
Penetanguishene	2	Reaboro	2
Perth	3	Renfrew	5
Perth Road	1	Richards Landing	1
Petawawa	1	Richmond	1
Peterborough	20	Richmond Hill	4
Petrolia	1	Roblin	2
Phelpston	1	Rockland	1
Pickering	1	Rockwood	1
Picton	4	Roseneath	1
Porcupine	1	Rossport	1

Community	Appeals	Community	Appeals
Round Lake Centre	1	South Porcupine	3
Russell	2	South River	1
Rutherglen	2	Spanish	2
St. Albert	1	Springford	1
St. Bernardin	1	Stayner	2
St. Charles	1	Stittsville	1
St. George	2	Stouffville	4
St. Mary's	1	Staffordville	1
St. Thomas	5	Stratford	6
Sarnia	17	Strathroy	3
Sauble Beach	1	Stroud	2
Sault Ste. Marie	14	Sturgeon Falls	14
Schumacher	1	Sudbury	46
Seaforth	3	Summerstown	1
Seeley's Bay	1	Sunderland	2
Selkirk	1	Sundridge	1
Serpent River	1	Sutton West	1
Severn Bridge	1	Swastika	1
Shallow Lake	1	Tamworth	1
Shannonville	1	Tara	4
Shanty Bay	1	Tecumseh	2
Simcoe	17	Temagami	1
Smiths Falls	13	Terrace Bay	1
South Gillies	1	Thamesford	1

Community	Appeals	Community	Appeals
Thessalon	1	Wahnapietae	5
Thomasburg	1	Wainfleet	1
Thornbury	2	Walford	1
Thorne	1	Walkerton	1
Thornhill	4	Wallaceburg	2
Thornton	1	Wallenstein	1
Thorold	2	Walton	1
Tilbury	1	Warren	2
Tillsonburg	1	Wasaga Beach	3
Timmins	30	Washago	1
Toledo	1	Waterdown	1
Trenton	12	Waterford	2
Tupperville	1	Waterloo	8
Uxbridge	1	Watford	1
Val Carson	1	Wawa	2
Val Cote	2	Welland	22
Val Gagne	4	Westbrook	1
Val Rita	3	Whitefish	1
Vanier	3	Wiarton	2
Vanleek Hill	1	Wilberforce	1
Vars	1	Wilcox Lake	1
Verner	2	Williamsford	1
Virginiatown	1	Williamstown	1
Victoria	1	Wilno	1

Community	Appeals
Winchester	2
Wingham	5
Woodslee	1
Woodstock	25
Woodville	1
Wyoming	1
	<hr/>
	1222
	<hr/>

Table 8: Distribution by Sex

	Total	Male	Female
Total Cases Heard	2038 (100%)	1022 (50.1%)	1016 (49.9%)
Family Benefits	1106 (100%)	407 (36.8%)	699 (63.2%)
General Welfare Assistance	840 (100%)	543 (64.6%)	297 (35.4%)
Rehabilitation Services	87 (100%)	68 (78.2%)	19 (21.8%)
GAINS - Ministry of Revenue	5 (100%)	4 (80.0%)	1 (20.0%)

Table 9: Family Status

	Total	Married	Single	Widowed	Divorced	Not Stated
Total Cases Heard	2038(100%)	762 (37.4%)	826 (40.5%)	247 (12.1%)	162 (8.0%)	41 (2.0%)
Family Benefits	1106(100%)	415 (37.5%)	353 (31.9%)	208 (18.8%)	113 (10.2%)	17 (1.6%)
General Welfare Assistance	840(100%)	330(39.3%)	402 (47.9)	39 (4.6%)	48 (5.7%)	21 (2.5%)
Rehabilitation Services	87(100%)	16 (18.4%)	71 (81.6%)			
GAINS- Ministry of Revenue	5 (100%)	1 (20.0%)				1 (20.0%)
						3 (60.0%)

Table 10: Age Groups

	Total	Under 20	20 - 29	30 - 49	50 - 69	Over 70	and Not Stated
Total Cases Heard	2038 (100%)	226 (11.1%)	466 (22.9%)	673 (33.0%)	614 (30.1%)	26 (1.3%)	33 (1.6%)
Family Benefits	1106 (100%)	37 (3.3%)	162 (14.7%)	398 (36.0%)	489 (44.2%)	9 (0.8%)	11 (1.0%)
General Welfare Assistance	840 (100%)	142 (16.9%)	282 (33.6%)	261 (31.1%)	121 (14.4%)	15 (1.8%)	19 (2.2%)
Rehabilitation Services	87 (100%)	47 (54.0%)	22 (25.3%)	14 (16.1%)	2 (2.3%)	-	2 (2.3%)
GAINS - Ministry of Revenue	5 (100%)	-	-	-	2 (40.0%)	2 (40.0%)	1 (20.0%)

Table 11: Number of Appeals and Hearings

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75	1975/76
Number of Appeals	504	878	1654	2011	1478	2081	2424
Number Heard	264	648	1330	1791	1303	1768	2038
Percent	52.4	73.8	80.4	89.1	88.2	85.0	84.1

Note: The difference between the "number of appeals" and "number heard" is made up of appeals withdrawn (see Table 1).

Table 12: Percentage of Appeals Granted and Denied

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75	1975/76
Total	100%	100%	100%	100%	100%	100%	100%
Appeal Granted	47.0	34.7	29.9	29.0	34.0	17.1	15.9
Appeal Denied	53.0	65.3	70.1	71.0	66.0	72.8	76.9
Referred Back	-	-	-	-	-	10.1	6.6
No Jurisdiction	-	-	-	-	-	-	0.6

Table 13: Percentage of Appeals Heard by Program

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75	1975/76
Total	100%	100%	100%	100%	100%	100%	100%
Family Benefits	48.9	47.2	48.4	60.0	65.8	70.4	54.3
General Welfare Assistance	49.6	50.0	49.5	39.2	33.8	28.0	41.2
Rehabilitation Services	1.5	2.8	2.0	0.8	0.4	1.0	4.3
GAINS - Ministry of Revenue	-	-	-	-	-	0.6	0.2

Table 14: Numerical and Percentage Increase/Decrease of Applications and Hearings

Applications for Hearing			Cases Heard		
Fiscal Year	Number	Increase (Decrease) Over Previous Year	Number	Increase (Decrease) Over Previous Year	Percent
	Number	Percent			
1969/70	504		264		
1970/71	878	374 74.2	648	384 145.5	
1971/72	1654	776 88.4	1330	682 105.2	
1972/73	2011	357 21.6	1791	461 34.8	
1973/74	1478	(533) (26.5)	1303	(488) (27.2)	
1974/75	2081	603 40.8	1768	465 35.7	
1975/76	2424	343 16.5	2038	270 15.3	

Table 15: Appeals to the Supreme Court of Ontario *

	Appeals Heard	Appeals Withdrawn	Total
1969/70	1	-	1
1970/71	1	-	1
1971/72	2	-	2
1972/73	3	3	6
1973/74	2	1	3
1974/75	3	1	4
1975/76	2	-	2
TOTAL	14	5	19

*Divisional Court



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Eighth Annual Report Social Assistance Review Board

Fiscal Year 1976-1977



Ministry of
Community and
Social Services
Ontario

Letter of Transmittal

CABIN
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The Honourable Keith C. Norton
Minister of Community and Social Services

Sir:

I am pleased to present the eighth Annual Report of the Social Assistance Review Board, covering the fiscal year ending March 31, 1977.



M. Borczak
Chairman
Social Assistance Review Board



Board Members

Chairman

M. Borczak

Vice-Chairmen

Robena J. Morris
Henry J. Price
Uno Viegandt

Members

Earl Armstrong
James Ballantyne
Desmond Bender
Norma Brown
Norma Dool
Leonard H. Ellins
Alene Holt
Gaetano Manuele
Ronald J. A. McMaster
Dolores Parent
John Pianosi
Nino Poli-Cappelli
Alfred P. Simester
Fernand Tremblay
Lionel Vaillancourt

Executive Secretary

Frank Mulrooney

Legal Counsel

Harold E. Fulton, Q.C.

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The Social Assistance Review Board is now into its ninth year, having begun operation on April 1, 1969. The Board's jurisdiction extends over the Family Benefits program, General Welfare Assistance, Vocational Rehabilitation Services and The Ontario Guaranteed Annual Income scheme. Its members are appointed by Order-in-Council for a term of three years and may be reappointed. The purpose of the Board is to provide an applicant or recipient with an opportunity to appeal a decision to deny, suspend or cancel assistance, or where assistance is reduced or the amount of assistance is in question.

The Chairman or the Board of Review "may authorize one or more members to conduct a hearing and such member or members has or have all the powers of the Board for the purpose of such hearing and any decision of such member or members shall be a decision of the Board". Usually, two members are appointed to conduct a hearing, although on occasion, one or three members are appointed.

The powers of the Board are set out in the legislation* as follows:

- 12 (10) *Where, after a hearing, the Board of Review has reviewed the decision of the Director, the board may,*
- (a) *affirm the decision;*
 - (b) *rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or*
 - (c) *refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the regulations,*

and the Director shall give effect to any directions given by the Board under this section.

* The Family Benefits Act, section 12(10)

Hearings are held in the community in which the appellant resides (Table 7), and frequently in the home of the appellant. The Board held hearings in 421 communities throughout the Province during the year. The law requires that all hearings be held in camera. The hearings are conducted in an informal manner, and the appellant is encouraged to present his complaint as completely as possible. The Board gives its decision and order, if any, in writing, giving its reasons therefor. The decisions are published, but the names of appellants are deleted to protect their privacy. The Board may be requested to reconsider and vary its decision after a re-hearing, and a further appeal lies to the Divisional Court of the Supreme Court of Ontario on a question that is not a question of fact alone.

The workload of the Board increased substantially during the year. The number of applications for a hearing rose to 3,644, an increase of 50 per cent over 1975/76. Of these, 695 were withdrawn but hearings were held in 2,949 cases, an increase of almost 45 per cent in the number of hearings over the previous year (Table 14).

The largest proportion (61.7 per cent) of the appeals heard was under the Provincially administered Family Benefits Act, up from 54.3 per cent of the total heard in 1975/76 (Table 13).

In Table 4, it will be seen that the largest group (68.7 per cent) refused assistance under The Family Benefits Act was because of a finding by the Director, on the advice of the Medical Advisory Board, that the applicant was not considered to be permanently unemployable or disabled within the meaning of the legislation. On the other hand, in the case of General Welfare Assistance, the biggest single group (67 per cent) of refusals was for the reason that a welfare administrator was not satisfied that the applicant for assistance was making reasonable efforts to secure employment and that the continuing unemployment was due to circumstances beyond the control of the applicant. Furthermore, 59 per cent of General Welfare Assistance cases cancelled or suspended during the year was for the same reason (Table 5).

Number of Hearings

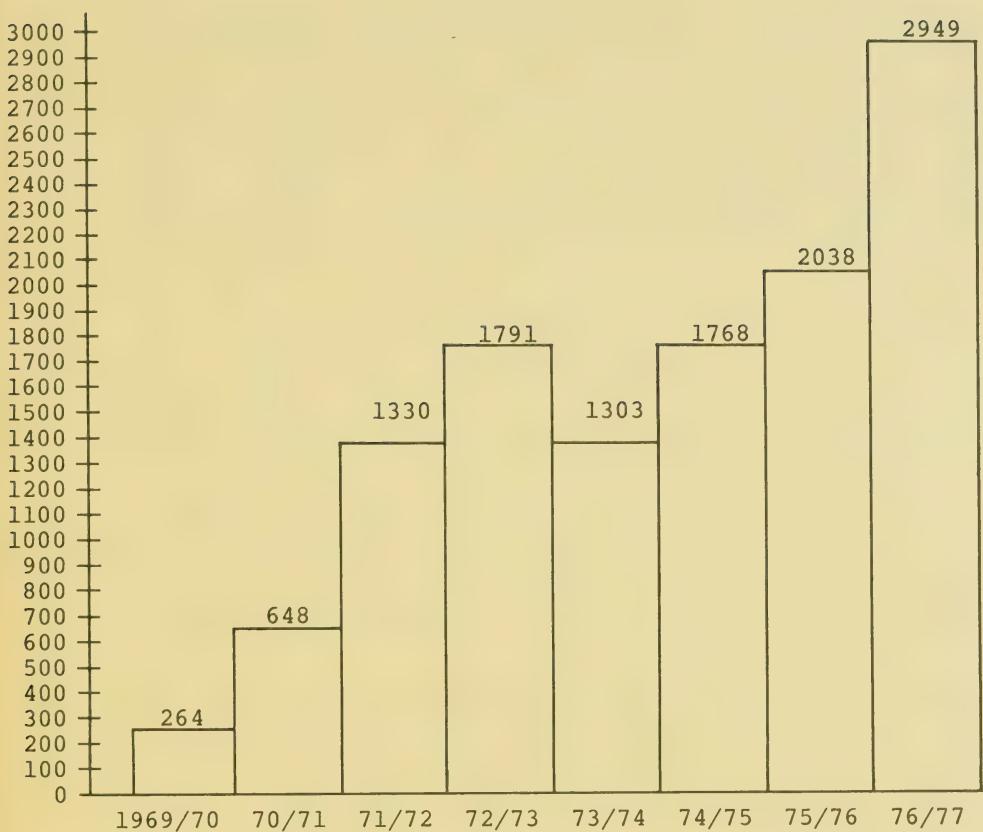


Table 1: Number of Appeals

Total Appeals	3644	100%
Appeals Heard	2949	81%
Appeals Withdrawn	695	19%

Table 2: Disposition of Appeals Heard by Programs

Total Cases Heard	2949	100%
Family Benefits	1820	61.7%
General Welfare Assistance	1043	35.4%
Rehabilitation Services	81	2.7%
Ontario Guaranteed Annual Income (GAINS)*	5	0.2%

* Administered by Ministry of Revenue

Table 3: Basis for Appeal

	Total Heard	Refusal	Cancellation or Suspension	Reduction	Amount	Other
Total	2949 (100%)	1887 (64.0%)	468 (15.9%)	167 (5.7%)	411 (13.9%)	16 (0.5%)
Family Benefits	1820 (100%)	1096 (60.2%)	225 (12.4%)	122 (6.7%)	364 (20.0%)	13 (0.7%)
General Welfare Assistance	1043 (100%)	716 (68.7%)	239 (22.9%)	40 (3.8%)	46 (4.4%)	2 (0.2%)
Rehabilitation Services	81 (100%)	73 (90.1%)	4 (5.0%)	2 (2.5%)	1 (1.2%)	1 (1.2%)
GAINS – Ministry of Revenue	5 (100%)	2 (40.0%)	–	3 (60.0%)	–	–

Table 4: Reasons for Refusal of Assistance

	FBA	GWA	REHAB	GAINS-A	Total
Not Considered Disabled (REHAB)	- - -	-	29 (39.7%)	- -	29 (1.6%)
Not Considered Permanently Unemployable or Disabled	753 (68.7%)	- -	- -	- -	753 (39.9%)
Sponsored Immigrant	47 (4.3%)	40 (5.6%)	- -	- -	87 (4.6%)
Not Living as a Single Person	17 (1.5%)	24 (3.3%)	- -	- -	41 (2.2%)
Not Making Reasonable Effort to Obtain Support	79 (7.2%)	17 (2.4%)	- -	- -	96 (5.1%)
Not Making Reasonable Effort to Obtain Employment	- -	480 (67.0%)	- -	- -	480 (25.4%)
Income in Excess	52 (4.7%)	58 (8.1%)	- -	- -	110 (5.8%)
Assets in Excess	73 (6.7%)	37 (5.2%)	- -	- -	110 (5.8%)
Transfer of Property	13 (1.2%)	5 (0.7%)	- -	- -	18 (1.0%)
Not Deserted	36 (3.3%)	2 (0.3%)	- -	- -	38 (2.0%)
Child Not in Care	- -	- -	- -	- -	- -
Other	26 (2.4%)	53 (7.4%)	44 (60.3%)	2 (100%)	125 (6.6%)
Total	1096 (100%)	716 (100%)	73 (100%)	2 (100%)	1887 (100%)

Table 5: Reasons for Cancellation or Suspension of Assistance

	FBA	GWA	REHAB	GAINS-A	Total
Not Considered Disabled (REHAB)	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -
Not Considered Permanently Unemployable or Disabled	8 (3.6%)	- - -	- - -	- - -	8 (1.7%)
Sponsored Immigrant	1 (0.4%)	5 (2.1%)	- - -	- - -	6 (1.38%)
Not Living as a Single Person	82 (36.48%)	36 (15.18%)	- - -	- - -	118 (25.2%)
Not Making Reasonable Effort to Obtain Support	4 (1.8%)	4 (1.7%)	- - -	- - -	8 (1.7%)
Not Making Reasonable Effort to Obtain Employment	- - -	141 (59.0%)	- - -	- - -	141 (30.1%)
Income in Excess	53 (23.6%)	21 (8.8%)	- - -	- - -	74 (15.8%)
Assets in Excess	38 (16.9%)	20 (8.4%)	- - -	- - -	58 (12.4%)
Transfer of Property	14 (6.2%)	3 (1.2%)	- - -	- - -	17 (3.7%)
Not Deserted	2 (0.9%)	- - -	- - -	- - -	2 (0.4%)
Child Not in Care	13 (5.8%)	- - -	- - -	- - -	13 (2.8%)
Other	10 (4.4%)	<u>9 (3.7%)</u>	<u>4 (100%)</u>	<u>- - -</u>	<u>23 (4.9%)</u>
Total	<u>225 (100%)</u>	<u>239 (100%)</u>	<u>4 (100%)</u>	<u>- - -</u>	<u>468 (100%)</u>

Table 6: Disposition of Appeals

	Total Heard	Appeal Granted	Appeal Denied	Referred Back	No Jurisdiction
Total	2949 (100%)	473 (16.0%)	2358 (80.0%)	118 (4.0%)	- - -
Family Benefits	1820 (100%)	361 (19.8%)	1358 (74.6%)	101 (5.6%)	- - -
General Welfare Assistance	1043 (100%)	82 (7.9%)	950 (91.1%)	11 (1.0%)	- - -
Rehabilitation Services	81 (100%)	30 (37.0%)	45 (55.6%)	6 (7.4%)	- - -
GAINS - Ministry of Revenue	5 (100%)	- -	5 (100%)	- -	- - -

Table 7: Geographical Location of Applicants

	1976/77		1975/76	
	Appeals Heard	Per Cent	Appeals Heard	Per Cent
<u>Major Cities</u>				
<u>Population 100,000 and over*</u>				
Brampton	7	0.2	6	0.3
Burlington	25	0.9	16	0.8
Hamilton	76	2.6	43	2.1
Kitchener	24	0.8	18	0.9
London	68	2.3	45	2.2
Metro Toronto	727	24.7	456	22.4
Mississauga	30	1.0	19	0.9
Oshawa	13	0.4	6	0.3
Ottawa	102	3.5	76	3.7
St. Catharines	30	1.0	20	1.0
Thunder Bay	13	0.4	21	1.0
Windsor	316	10.7	96	4.7
Total	1,431	48.5	822	40.3
<u>Other Communities</u>				
	1,518	51.5	1,216	59.7
Total Appeals Heard	2,949	100.0	1,038	100.0

Note: The list of Major Cities has been revised to include the City of Brampton.

* Source: Ontario Municipal Directory 1977-78.

** The numbers of 1975/76 have been restated to adjust for the inclusion of Brampton under "Major Cities."

Table 7 (continued)

Community	Appeals	Community	Appeals
Acton	5	Cannington	1
Alexandria	6	Cardinal	3
Alliston	1	Carleton Place	3
Amherstburg	5	Carp	1
Amherstview	2	Carrying Place	1
Angus	4	Casselman	2
Apple Hill	1	Cavan	2
Arnprior	11	Chapleau	3
Atikokan	2	Chatham	32
Auburn	1	Chelmsford	4
Aurora	1	Chesterville	1
Aylmer	2	Churchill	1
Azilda	3	Clarence Creek	1
Balderson	2	Clifford	1
Baltimore	1	Clinton	4
Bancroft	5	Cloyne	1
Barrie	14	Coatsworth	1
Barry's Bay	2	Cobalt	5
Bath	2	Cobourg	7
Bay Ridges	1	Cochrane	9
Beamsville	1	Colborne	1
Beeton	1	Collingwood	5
Belle Ewart	1	Combermere	1
Belleville	32	Coniston	1
Berkeley	1	Connaught	1
Bewdley	1	Copper Cliff	1
Blenheim	1	Cornwall	34
Bleizard Valley	1	Courtland	1
Blind River	6	Crediton	1
Bloomfield	2	Creemore	1
Bluevale	1	Cumberland	1
Bobcaygeon	2	Cumberland Beach	1
Bonfield	1	Curran	1
Bothwell	1	Dashwood	3
Bowmanville	1	Deep River	1
Bracebridge	1	Delhi	2
Bradford	2	Delta	1
Bramalea	1	Denbigh	1
Brantford	35	Desbarats	2
Brechin	1	Deseronto	3
Brighton	7	Dorset	1
Britt	2	Douglas	3
Brockville	3	Douro	1
Brussels	1	Dresden	2
Burks Falls	3	Drumbo	1
Burnt River	1	Duart	2
Cache Bay	4	Dundalk	1
Caledonia	1	Dundas	4
Cambray	1	Dunnville	11
Cambridge	5	Durham	1
Cameron	1	Dutton	1
Campbellford	2	Eagle River	1

Community	Appeals	Community	Appeals
Eden	2	Harrowsmith	1
Eganville	7	Hastings	1
Elgin	1	Havelock	5
Elliot Lake	4	Hawkesbury	13
Elmvale	2	Hawkestone	1
Embro	1	Hawk Junction	1
Embrun	1	Hearst	12
Emo	1	Hepworth	1
Emsdale	1	Highland Grove	1
Englehart	2	Holstein	1
Espanalo	5	Huntsville	6
Essex	5	Huron Park	3
Ethel	1	Indian River	1
Exeter	1	Ingersoll	2
Fauquier	1	Ingleside	1
Fenelon Falls	2	Inglewood	2
Fenwick	1	Inverary	1
Fergus	3	Iroquois	1
Field	1	Iroquois Falls	4
Fitzroy Harbor	1	Jackson's Point	1
Foleyet	1	Jogues	1
Fort Erie	3	Kaladar	1
Fort Frances	7	Kapuskasing	12
Fournier	1	Kearney	4
Gads Hill	1	Keewatin	2
Gananoque	3	Kenora	1
Garson	3	Keswick	2
Georgetown	4	Killaloe Station	1
Gilmour	1	Kinburn	1
Glenburnie	1	Kinmount	2
Glencairn	1	Kingston	51
Glen Robertson	1	Kingsville	4
Goderich	4	Kirkfield	2
Golden Lake	3	Kirkland Lake	16
Gormley	1	Kippen	1
Grafton	1	Lakefield	2
Grand Pointe	1	L'Amable	1
Grand Valley	1	Lanark	2
Granton	1	Lansdowne	1
Gravenhurst	6	Larder Lake	3
Greely	1	Lasalle	2
Guelph	21	Leamington	4
Hagersville	5	LeFaivre	1
Haileybury	2	Levack	1
Haley Station	1	Lindsay	9
Haliburton	1	Listowel	1
Hampton	1	Little Britain	1
Hammer	3	Little Current	1
Hannon	1	Lombardy	1
Hanover	3	Long Sault	1
Harriston	2	Lorne Park	1
Harrow	1	Lucan	2

Community	Appeals	Community	Appeals
Lucknow	1	Norwood	3
Lunenburg	1	Novar	1
Mactier	1	Oak Ridges	1
Madoc	3	Oakville	16
Madsen	1	Ohsweken	1
Mallorytown	1	Orangeville	3
Malton	1	Orillia	14
Manitowaning	2	Orleans	1
Mar	1	Owen Sound	14
Markham	1	Pakenham	1
Markstay	2	Paris	3
Marlbank	2	Parry Sound	2
Marmora	4	Pefferlaw	2
Martintown	4	Pembroke	17
Massey	3	Penetanguishene	7
Matachewan	2	Perkinsfield	2
Matheson	2	Perth	6
Mattawa	7	Perth Road	1
Mattice	5	Petawawa	3
McGregor	1	Peterborough	28
Meaford	1	Pickering	2
Melbourne	1	Picton	6
Midland	7	Phelpston	2
Millbrook	1	Plainfield	1
Miller Lake	1	Plevna	1
Milton	1	Pontypool	4
Minden	1	Port Colborne	6
Monetville	1	Port Dover	2
Monkland	2	Port Hope	6
Moonbeam	3	Port McNicoll	2
Mount Albert	1	Port Robinson	2
Mount Forest	4	Port Severn	2
Mount Hope	1	Powassan	2
Morrisburg	5	Prescott	4
Nairn Centre	2	Preston	1
Nakina	1	Queensville	1
Napanee	9	Rainy River	1
Naughton	1	Red Lake	2
Navan	1	Renfrew	8
Nestor Falls	1	Richmond Hill	5
Newburgh	2	Ridgetown	1
Newington	1	River Valley	2
New Liskeard	8	Rocklane	1
Newmarket	8	Roblin	3
Niagara Falls	30	Rodney	1
Nobleton	1	Roseneath	4
Noelville	1	Roslin	2
North Augusta	1	Round Lake Centre	2
North Bay	26	Rutherford	5
Northbrook	3	Ruthven	1
North Cobalt	1	St. Albert	1
Norwich	2	St. Andrews West	1

Community	Appeals	Community	Appeals
Ste. Anne de Prescott	1	Tottenham	3
St. George	2	Trenton	12
St. Isidore	1	Trout Creek	1
St. Thomas	10	Tweed	4
St. Williams	1	Utopia	1
Sarnia	16	Utterson	1
Sauble Beach	1	Uxbridge	1
Sault Ste. Marie	27	Val Caron	1
Schumacher	5	Val Therese	1
Searchmont	1	Vanier	12
Seeleys Bay	1	Vankleek Hill	5
Selkirk	1	Vermilion Bay	1
Shannonville	2	Verner	2
Sharon	1	Vienna	2
Shelburne	2	Vineland	1
Simcoe	13	Virgil	1
Sioux Lookout	2	Virginiatown	2
Smiths Falls	9	Wahnipitae	3
Smooth Rock Falls	4	Wainfleet	1
Southampton	1	Walkerton	2
South Porcupine	1	Wallaceburg	2
South River	4	Warren	1
Spring Bay	1	Washago	1
Springbrook	1	Waterloo	3
Springfield	1	Webbwood	2
Sprucedale	1	Welland	32
Stevensville	1	Wellandport	2
Stirling	1	West Lorne	2
Stoney Creek	1	Westmeath	1
Stouffville	3	Wheatley	1
Stratford	6	Whitefish	1
Stroud	4	Whitney	2
Sturgeon Falls	15	Wiarton	3
Sudbury	77	Wilberforce	1
Summerstown	1	Williamsburg	1
Sundridge	3	Williamstown	2
Sutton	1	Wilno	1
Sutton West	2	Wingham	1
Swastika	2	Woodbridge	4
Tara	1	Woodlawn	1
Tecumseh	4	Woodstock	21
Teeswater	1	Woodville	1
Thamesville	1	Wooler	1
Thessalon	1	Wroxeter	3
Thomasburg	2	Wyebridge	2
Thornhill	7	Zurich	1
Thorold	4		
Tilbury	1	Total	1,518
Tillsonburg	7		
Timmins	33		
Torrance	1		

Table 8: Distribution by Sex

	Total	Male	Female
Total Cases Heard	2949 (100%)	1553 (52.7%)	1396 (47.3%)
Family Benefits	1820 (100%)	796 (43.7%)	1024 (56.3%)
General Welfare Assistance	1043 (100%)	691 (66.3%)	352 (33.7%)
Rehabilitation Services	81 (100%)	62 (76.5%)	19 (23.5%)
GAINS - Ministry of Revenue	5 (100%)	4 (80.0%)	3 (20.0%)

Table 9: Family Status

	Total	Married	Single	Widowed	Divorced	Not Stated
Total Cases Heard	2949 (100%)	1064 (36.1%)	1256 (42.6%)	324 (11.0%)	261 (8.8%)	44 (1.5%)
Family Benefits	1820 (100%)	654 (35.9%)	665 (36.5%)	272 (15.0%)	202 (11.1%)	27 (1.5%)
General Welfare Assistance	1043 (100%)	393 (37.7%)	525 (50.3%)	52 (5.0%)	57 (5.5%)	16 (1.5%)
Rehabilitation Services	81 (100%)	14 (17.3%)	65 (80.2%)	-	2 (2.5%)	-
GAINS - Ministry of Revenue	5 (100%)	3 (60.0%)	1 (20.0%)	-	-	1 (20.0%)

Table 10: Age Groups

	Total	Under 20	20 - 29	30 - 49	50 - 69	70 & Over	Not Stated
Total Cases Heard	2949 (100.0%)	281 (9.5%)	594 (20.2%)	1065 (36.1%)	923 (31.3%)	38 (1.3%)	48 (1.6%)
Family Benefits	1820 (100.0%)	77 (4.2%)	218 (12.0%)	703 (38.6%)	783 (43.0%)	22 (1.2%)	17 (1.0%)
General Welfare Assistance	1043 (100.0%)	159 (15.2%)	359 (34.4%)	348 (33.4%)	133 (12.8%)	14 (1.3%)	30 (2.9%)
Rehabilitation Services	81 (100.0%)	45 (55.5%)	17 (21.0%)	14 (17.3%)	5 (6.2%)	-	-
GAINS - Ministry of Revenue	5 (100.0%)	-	-	-	2 (40.0%)	2 (40.0%)	1 (20.0%)

Table 11: Number of Appeals and Hearings During Period 1969/70—1976/77

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75	1975/76	1976/77
Number of Appeals	504	878	1654	2011	1478	2081	2424	3644
Number Heard	264	648	1330	1791	1303	1768	2038	2949
Per Cent	52.4	73.8	80.4	89.1	88.2	85.0	84.1	80.9

Note: The difference between the "number of appeals" and "number heard" is made up of appeals withdrawn (see Table 1).

Table 12: Percentage of Appeals Granted and Denied During Period 1969/70—1976/77

**Table 13: Percentage of Appeals Heard by Programs
During Period 1969/70—1976/77**

Fiscal Year	1969/70	1970/71	1971/72	1972/73	1973/74	1974/75	1975/76	1976/77
Total	100%	100%	100%	100%	100%	100%	100%	100%
Family Benefits	48.9	47.2	48.4	60.0	65.8	70.4	54.3	61.7
General Welfare Assistance	49.6	50.0	49.5	39.2	33.8	28.0	41.2	35.4
Rehabilitation Services	1.5	2.8	2.0	0.8	0.4	1.0	4.3	2.7
GAINS - Ministry of Revenue	—	—	—	—	—	0.6	0.2	0.2

Table 14:Numerical and Percentage Increase/Decrease of Applications
and Hearings During Period 1969/1970—1976/77

Fiscal Year	Applications for Hearings			Cases Heard	
	Number	Increase (Decrease) Over Previous Year		Number	Increase (Decrease) Over Previous Year
		Number	Per Cent		
1969/1970	504			264	
1970/1971	878	374	74.2	648	384
1971/1972	1,654	776	88.4	1,330	682
1972/1973	2,011	357	21.6	1,791	461
1973/1974	1,478	(533)	(26.5)	1,303	(488)
1974/1975	2,081	603	40.8	1,768	465
1975/1976	2,424	343	16.5	2,038	270
1976/1977	3,644	1,220	50.3	2,949	911
	14,674				12,091

Table 15: Appeals to the Supreme Court of Ontario*
During Period 1969/70—1976/77

	Appeals Heard	Appeals Withdrawn	Total
1969/1970	1	-	1
1970/1971	1	-	1
1971/1972	2	-	2
1972/1973	3	3	6
1973/1974	2	1	3
1974/1975	3	1	4
1975/1976	2	-	2
1976/1977	4	1	5
Total	18	6	24

* Divisional Court

Table 16: Type of Representation on Behalf of Appellant

Legal Clinic	41	1.4
Private Lawyer	118	4.0
Citizens' Group	9	0.3
Friend or Family	692	23.5
Interpreter (usually friend or family)	93	3.1
Member of Provincial Parliament	41	1.4
Other	100	3.4
Appellant Alone	1219	41.3
Hearing Held in Absentia	636	21.6
Total Heard	2949	100%

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Ninth Annual Report **Social Assistance Review Board**

Fiscal Year 1977-1978



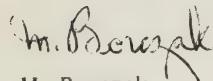
Ministry of
Community and
Social Services

Letter of Transmittal

The Honourable Keith C. Norton
Minister of Community and Social Services

Sir:

I am pleased to present the ninth Annual Report of the Social Assistance Review Board, covering the fiscal year ending March 31, 1978.



M. Borczak
Chairman
Social Assistance Review Board

Board Members

CHAIRMAN

M. Borczak

VICE-CHAIRMEN

Desmond Bender

Henry J. Price

Uno Viegandt



MEMBERS

Norma Brown

Evelyn Buck

Ivo DiLuca

Norma Dool

Diana Eaton

Ross Edgar Edwards

G. Jean Elliott

Alene Holt

Gaetano Manuele

Ronald J. A. McMaster

Donald H. Morrow

George Nixon

Dolores Parent

John Pianosi

Alfred P. Simester

EXECUTIVE SECRETARY

Frank Mulrooney

LEGAL COUNSEL

Harold E. Fulton, Q.C.

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INTRODUCTION

The Social Assistance Review Board has now completed its ninth year of existence having begun operations on April 1, 1969. The Board's jurisdiction continues over the Family Benefits program, General Welfare Assistance (general assistance but not special assistance), Vocational Rehabilitation Services and The Ontario Guaranteed Annual Income program. Board members are appointed by Order-in-Council for a term of three years and may be reappointed. The purpose of the Board is to provide, on appeal from an applicant or recipient, an objective review of an administrator's decision to deny, suspend, cancel or reduce assistance, or where there is dissatisfaction with the amount of assistance granted.

The Chairman of the Board of Review "may authorize one or more members to conduct a hearing and such member or members has or have all the powers of the Board for the purpose of such hearing and any decision of such member or members shall be a decision of the Board". Usually, two members are appointed to conduct a hearing, although on occasion, one or three members are appointed.

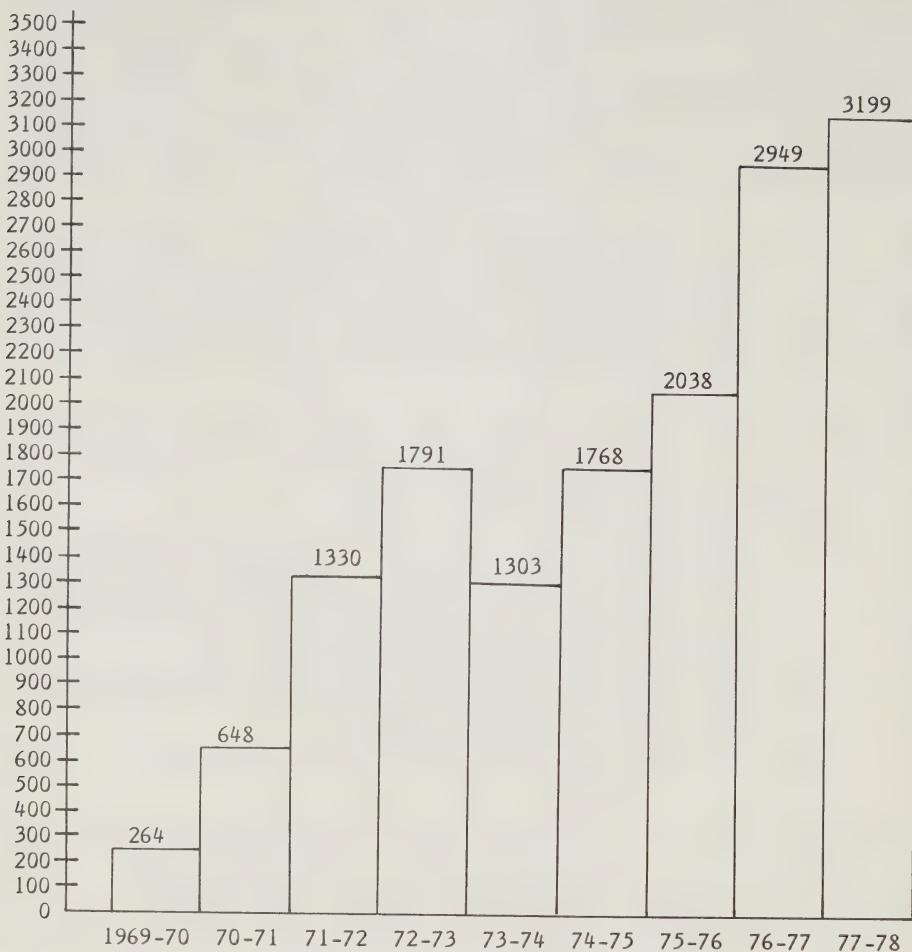
The powers of the Board are set out in the Family Benefits Act as follows:

- 12 (10) Where, after a hearing, the Board of Review has reviewed the decision of the Director, the board may,
 - (a) affirm the decision;
 - (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or
 - (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the regulations,and the Director shall give effect to any directions given by the Board under this section.

Hearings are held in the community in which the appellant resides (Table 7), and frequently in the appellant's home. The Board held hearings in 457 communities throughout the province during the year. Hearings are held in camera and are conducted in an informal manner. The appellant may at a hearing, be represented by counsel, or an agent, call and examine witnesses and present arguments and submissions and may conduct cross-examinations of witnesses so that there may be full and fair disclosure of the facts. The Board gives its decision and order, if any, in writing, giving its reasons therefor. Decisions are available to the public, but the names of appellants are deleted to protect their privacy. The Board may be requested to reconsider and vary its decision after a hearing, and a further appeal lies to the Divisional Court of the Supreme Court of Ontario on a question that is not a question of fact alone.

The workload of the Board continues to increase as demonstrated in the graph on the next page. The number of applications for a hearing rose to 4,022, an increase of 10.4 percent over 1976-77. Of these, 823 were closed without a hearing but hearings were held in 3,199 cases, an increase of almost 8.5 percent in the number of hearings over the previous year (Table 12).

Number of Hearings



The largest proportion (67.4 percent) of the appeals heard was under the Provincially administered Family Benefits Act, up from 61.7 percent of the total heard in 1976-77 (Table 14).

In Table 4, it will be seen that the largest group (69.4 percent) refused assistance under The Family Benefits Act was because of a finding by the Director, on the advice of the Medical Advisory Board, that the applicant was not considered to be permanently unemployable or disabled within the meaning of the legislation. On the other hand, in the case of General Welfare Assistance, the biggest single group (62.8 percent) of refusals was for the reason that a welfare administrator was not satisfied that the applicant for assistance was making reasonable efforts to secure employment and that the continuing unemployment was due to circumstances beyond the control of the applicant. Furthermore, 58.6 percent of General Welfare Assistance cases cancelled or suspended during the year was for the same reason (Table 5).

Statistical Tables

Table 1: Number of Appeals

Total Appeals	4022	100%
Appeals Heard	3199	80%
Appeals Closed without a Hearing	823	20%

Table 2: Disposition of Appeals Heard by Programs

Total Cases Heard	3199	100%
Family Benefits	2156	67.4%
General Welfare Assistance	959	30.0%
Rehabilitation Services	82	2.5%
Ontario Guaranteed Annual Income (GAINS)*	2	0.1%

* Administered by Ministry of Revenue

Note: for brevity, the following are used in statistical tables:

FBA	Family Benefits program
GWA	General Welfare Assistance
REHAB	Rehabilitation Services
GAINS	Guaranteed Annual Income System (administered by the Ministry of Revenue.)

Table 3: Basis for Appeals

	TOTAL	FBA	GWA	REHAB	GAINS
Total Heard	3199 (100%)	2156 (100%)	959 (100%)	82 (100%)	2 (100%)
Refusal	2012 (62.9%)	1278 (59.3%)	656 (68.4%)	*77 (93.9%)	1 (50.0%)
Cancellation or Suspension	478 (14.9%)	256 (11.9%)	220 (23.0%)	2 (2.4%)	— —
Reduction	141 (4.4%)	115 (5.3%)	26 (2.7%)	— —	— —
Amount	568 (17.8%)	507 (23.5%)	57 (5.9%)	3 (3.7%)	1 (50.0%)

***Rehabilitation Services - Refusals**

	Total Refused	Appeals Granted	Appeals Denied	Referred Back	Total
Learning Disability	56 (72.7%)	33 (58.9%)	21 (37.5%)	2 (3.6%)	56 (100%)
All Other	21 (27.3%)	2 (9.5%)	18 (85.7%)	1 (4.8%)	21 (100%)
Total	77 (100%)	35 (45.5%)	39 (50.6%)	3 (3.9%)	77 (100%)

See Table 6

Table 4: Reasons for Refusal of Assistance

	Total	FBA	GWA	REHAB	GAINS
Not Considered Disabled (REHAB)	21 (1.0%)	—	—	21 (27.3%)	—
Not Considered Permanently Unemployable or Disabled	887 (44.1%) 95 (4.7%)	887 (69.4%) 57 (4.5%)	— 38 (5.8%)	— —	— —
Sponsored Immigrant					
Not Living as a Single Person	49 (2.4%)	16 (1.3%)	33 (5.0%)	— —	— —
Not Making Reasonable Effort to Obtain Support	84 (4.2%)	77 (6.0%)	7 (1.1%)	— —	— —
Not Making Reasonable Effort to Obtain Employment	412 (20.5%)	— 46 (3.6%)	412 (62.8%)	— 56 (8.5%)	— —
Income in Excess	102 (5.1%)	46 (9.1%)	56 (8.5%)	— 24 (3.7%)	— 1 (1.3%)
Assets in Excess	141 (7.0%)	116 (9.1%)	24 (3.7%)	— 2 (0.3%)	— —
Transfer of Property	4 (0.2%)	2 (0.1%)	2 (0.3%)	— —	— —
Not Deserted	39 (1.9%)	39 (3.0%)	— —	— —	— —
Child Not in Care	1 (0.1%)	1 (0.1%)	— —	— —	— —
Other	177 (8.8%)	37 (2.9%)	84 (12.8%)	55 (71.4%)	1 (100%)
Total	1278 (100%)	656 (100%)	77 (100%)	77 (100%)	1 (100%)

Table 5: Reasons for Cancellation or Suspension of Assistance

	Total	FBA	GWA	REHAB	GAINS
Not Considered Disabled (REHAB)	-	-	-	-	-
Not Considered Permanently Unemployable or Disabled	5 (1.1%)	1 (0.4%)	-	-	-
Sponsored Immigrant	145 (30.3%)	109 (42.6%)	36 (16.4%)	-	-
Not Living as a Single Person					
Not Making Effort to Obtain Other Support	4 (0.8%)	3 (1.2%)	1 (0.4%)	-	-
Not Making Effort to Obtain Employment	129 (27.0%)	-	129 (58.6%)	-	-
Income in Excess	76 (15.9%)	59 (23.0%)	16 (7.3%)	1 (50.0%)	-
Assets in Excess	53 (11.1%)	39 (15.2%)	14 (6.4%)	-	-
Transfer of Property	11 (2.3%)	11 (4.3%)	-	-	-
Not Deserted	4 (0.8%)	4 (1.6%)	-	-	-
Child Not in Care	13 (2.7%)	13 (5.1%)	-	-	-
Other	38 (8.0%)	17 (6.6%)	20 (9.1%)	1 (50.0%)	-
Total	478 (100%)	256 (100%)	220 (100%)	2 (100%)	-

TABLE 6: DISPOSITION OF APPEALS

	TOTAL	FBA	GWA	REHAB	GAINS
Total Heard	3199 (100%)	2156 (100%)	959 (100%)	82 (100%)	2 (100%)
Appeal Granted	560 (17.5%)	439 (20.4%)	85 (8.9%)	36 (43.9%)	-
Appeal Denied	2556 (79.9%)	1643 (76.2%)	868 (90.5%)	43 (52.4%)	2 (100%)
Referred Back	79 (2.5%)	71 (3.3%)	5 (0.5%)	3 (3.7%)	-
No Jurisdiction	4 (0.1%)	3 (0.1%)	1 (0.1%)	-	-

See Tables 3 and 13

Table 7: Geographic Location of Applicants

	1977-78		1976-77	
	Appeals Heard	Percent	Appeals Heard	Percent
MAJOR CITIES				
Population 100,000 and over*				
Brampton	6	0.2	7	0.2
Burlington	26	0.8	25	0.9
Hamilton	108	3.4	76	2.6
Kitchener	23	0.7	24	0.8
London	80	2.5	68	2.3
Metro Toronto	778	24.3	727	24.7
Mississauga	41	1.3	30	1.0
Oshawa	10	0.3	13	0.4
Ottawa	129	4.1	102	3.5
St. Catharines	36	1.1	30	1.0
Thunder Bay	23	0.7	13	0.4
Windsor	247	7.7	316	10.7
Total	1507	47.1	1431	48.5
OTHER COMMUNITIES				
Total Appeals Heard	1692	52.9	1518	51.5
Total Appeals Heard	3199	100.0	2949	100.0

* Source: Ontario Municipal Directory 1977-78.

Community	Appeals	Community	Appeals	Community	Appeals
Acton	1	Brussels	2	Dunnville	10
Ajax	2	Burk's Falls	4	Dunsford	1
Alban	2	Burnt River	1	Dunvegan	1
Alexandria	13	Cache Bay	5	Durham	3
Algoma Mills	1	Caistor Centre	1	Ear Falls	2
Alliston	1	Caledon East	2	Earlton	1
Almonte	4	Caledonia	1	Eden	1
Ameliasburgh	2	Calstock	1	Eganville	1
Amherstburg	4	Cambridge	5	Elk Lake	3
Amherstview	1	Cameron	2	Elmvale	8
Angus	3	Campbellford	4	Elora	2
Appin	2	Campbellville	1	Embro	1
Apple Hill	3	Capreol	2	Embrun	1
Apsley	2	Carleton Place	4	Emsdale	1
Ariss	1	Carrying Place	2	Englehart	5
Arnprior	5	Cartier	1	Enterprise	4
Atikokan	1	Cayuga	2	Erinsville	2
Auburn	1	Cedar Springs	2	Espanola	5
Aurora	7	Centreville	1	Essex	1
Aylmer	6	Chalk River	1	Evansville	1
Ayton	1	Chapleau	1	Exeter	2
Azilda	2	Charlton	2	Fauquier	1
Bancroft	4	Chatham	31	Fenelon Falls	3
Barrie	16	Chelmsford	6	Fenwick	1
Barry's Bay	4	Chesley	1	Fergus	4
Bath	3	Chute a Blondeau	1	Feversham	1
Baysville	1	Clarence Creek	1	Field	2
Beachburg	1	Clinton	5	Finch	1
Beamsville	2	Coatsworth	1	Fisherville	1
Beaverton	1	Cobalt	2	Flinton	1
Belle River	1	Cobden	1	Florence	1
Belle Vallee	1	Cobourg	11	Fonthill	1
Belleville	30	Cochrane	6	Forest	2
Bell Ewart	2	Coe Hill	1	Fort Erie	4
Belwood	2	Colborne	4	Fort Frances	2
Berkeley	1	Collingwood	14	Fournier	1
Bethany	1	Coniston	1	Frankford	1
Blenheim	4	Cornwall	36	Fraserville	1
Blind River	9	Crediton	1	Fruitland	1
Bloomfield	1	Crysler	1	Gads Hill	1
Bobcaygeon	1	Crystal Beach	1	Gananoque	3
Bolton	1	Curran	1	Garson	2
Bonfield	1	Dashwood	1	Georgetown	4
Boulter	1	Delhi	1	Geraldton	1
Bowmanville	2	Desboro	1	Gilmour	1
Bracebridge	1	Deseronto	2	Glen Williams	2
Brantford	42	Devlin	1	Goderich	7
Brechin	1	Dorchester	2	Gogama	2
Bridgenorth	2	Dowling	1	Golden Lake	3
Brighton	6	Dryden	1	Gooderham	1
Brockville	11	Dunchurch	1	Grafton	2
Brownsville	1	Dundas	2	Gravenhurst	6

Community	Appeals	Community	Appeals	Community	Appeals
Guelph	23	Limoges	1	Napanee	24
Hagar	1	Lindsay	21	Newburgh	2
Haileybury	2	Lion's Head	2	Newbury	2
Haliburton	1	Listowel	2	Newcastle	1
Hammond	1	Little Britain	1	New Hamburg	1
Hanmer	1	Little Current	1	Newington	1
Hanover	3	Lively	2	New Liskeard	10
Harrison	1	Loretto	1	Newmarket	1
Hartley	1	L'Orignal	2	Niagara Falls	36
Havelock	8	Loring	1	Nipigon	1
Hawkesbury	15	Lucan	1	Nolalu	1
Hawkestone	2	Lowbanks	1	North Augusta	2
Hearst	15	Mactier	2	North Bay	29
Hensall	1	Madawaska	3	Northbrook	3
Hepworth	1	Mallorytown	1	Norwich	1
Highland Grove	3	Manilla	4	Norwood	1
Holland Landing	2	Manitowaning	1	Nottawa	1
Holtyre	3	Maple Leaf	1	Oakville	13
Honey Harbour	2	Marathon	1	Oakwood	1
Honeywood	1	Markdale	1	Odessa	5
Huntsville	5	Markham	3	Ohsweken	3
Ignace	1	Markstay	1	Oil Springs	2
Ingersoll	9	Marlbank	1	Omemee	6
Innerkip	4	Marmora	1	Onaping Falls	1
Inverary	1	Martintown	1	Opasatika	1
Iroquois	1	Massey	2	Orangeville	5
Iroquois Falls	5	Matheson	1	Orillia	33
Janetville	1	Mattawa	5	Orleans	2
Jordan	1	Mattice	1	Otterville	1
Kaladar	2	Maxville	1	Owen Sound	8
Kanata	1	Maynooth	4	Palmer Rapids	1
Kapuskasing	9	McDonalds Corners	1	Palmerston	2
Kars	1	McGregor	2	Paris	3
Keene	1	Metcalfe	1	Parkhill	1
Kenora	2	Midland	11	Parry Sound	4
Keswick	3	Milford	2	Pefferlaw	4
Killaloe	2	Millgrove	1	Pembroke	7
Kinburn	1	Milton	3	Penetang	14
Kingston	54	Minden	1	Perth	6
Kingsville	1	Minesing	1	Perth Road	1
Kinmount	1	Mitchell	1	Peterborough	35
Kiosk	2	Monetville	1	Phelpston	2
Kirkfield	2	Moonbeam	1	Pickering	3
Kirkland Lake	14	Moose Creek	1	Picton	4
Komoka	1	Morrisburg	3	Plainfield	1
Lakefield	2	Mountain	1	Plantagenet	3
Lanark	1	Mount Albert	1	Plattsburg	1
Lancaster	3	Mount Brydges	1	Pony Pool	1
Larder Lake	1	Mount Forest	2	Port Alma	1
Leamington	3	Mount Hope	1	Port Burwell	1
Lefroy	1	Mount Pleasant	1	Port Carling	1
Levack	1	Nakina	2	Port Colborne	5

Community	Appeals	Community	Appeals	Community	Appeals
Port Dover	2	Smiths Falls	13	Wasaga Beach	8
Port Elgin	1	South Porcupine	3	Washago	1
Port Hope	12	South River	4	Waterdown	1
Portland	1	Spring Bay	1	Waterford	1
Port McNicoll	4	Sprucedale	1	Waterloo	7
Port Perry	2	Stayner	2	Watford	1
Port Rowan	1	Stirling	4	Waubaushene	3
Port Severn	2	Stittsville	1	Wawa	2
Powassan	3	Stoney Creek	4	Webbwood	2
Prescott	7	Stoney Point	1	Welland	31
Proton Station	1	Stouffville	1	Wellington	1
Rama	1	Stratford	6	West Bay	1
Ramore	1	Strathroy	5	Whitby	3
Reaboro	1	Streetsville	1	Whitefish	1
Red Lake	3	Stroud	2	Whitevale	1
Renfrew	9	Sturgeon Falls	19	Whitney	1
Richmond	2	Sudbury	60	Wiarton	5
Richmond Hill	6	Summerton	1	Wikwemikong	4
Ridgetown	2	Sunderland	1	Williamsburg	1
Ridgeway	2	Sutton	4	Williamstown	2
Ripley	1	Sydenham	1	Wingham	7
Riverdrive Park	2	Tara	1	Winona	1
River Valley	1	Thamesville	4	Woodbridge	4
Roblin	2	Thedford	1	Woodlawn	1
Rodney	1	Thomasburg	1	Woodslee	1
Roseneath	1	Thornbury	1	Woodstock	22
Roslin	1	Thornhill	5	Woodville	1
Rutherford	1	Thornton	1	Worthington	2
Ruthven	2	Thorold	4	Yarker	2
St. Charles	1	Tilbury	3		
St. David's	1	Tillsonburg	9	Total	1692
St. Joachim	1	Timmins	31		
St. Mary's	1	Toledo	1		
St. Paul's	1	Tory Hill	1		
St. Thomas	14	Trenton	17		
St. Williams	1	Trent River	2		
Sarnia	21	Trout Creek	2		
Sarsfield	2	Tweed	3		
Sault Ste. Marie	24	Unionville	1		
Schreiber	1	Utopia	1		
Schumacher	2	Utterson	2		
Seagrave	1	Val Caron	4		
Sebringville	1	Val Cote	1		
Selby	1	Val Gagne	1		
Severn Bridge	1	Vanier	5		
Sharon	1	Vankleek Hill	5		
Shelburne	3	Verner	2		
Sherkston	1	Victoria Harbour	1		
Simcoe	7	Wahnapietae	2		
Singhampton	1	Walford	1		
Skead	1	Walkerton	1		
Smithfield	1	Wallaceburg	3		

Table 8: Distribution by Sex

	TOTAL CASES	HEARD	FBA	GWA	REHAB	GAINS
Total	3199 (100%)	2156 (100%)	959 (100%)	82 (100%)	2 (100%)	2 (100%)
Male	1646 (51.5%)	946 (43.9%)	632 (65.9%)	66 (80.5%)	2 (100%)	
Female	1553 (48.5%)	1210 (56.1%)	327 (34.1%)	16 (19.5%)	-	-

Table 9: Family Status

	TOTAL CASES	HEARD	FBA	GWA	REHAB	GAINS
Total	3199 (100%)	2156 (100%)	959 (100%)	82 (100%)	2 (100%)	2 (100%)
Married	1130 (35.3%)	759 (35.2%)	362 (37.7%)	8 (9.8%)	1 (50.0%)	
Single	1350 (42.2%)	797 (37.0%)	480 (50.1%)	72 (87.8%)	1 (50.0%)	
Widowed	359 (11.2%)	316 (14.6%)	43 (4.5%)	-	-	-
Divorced	345 (10.8%)	280 (13.0%)	63 (6.6%)	2 (2.4%)	-	-
Not Stated	15 (0.5%)	4 (0.2%)	11 (1.1%)	-	-	-

Table 10: Age Groups

	TOTAL CASES	HEARD	FBA	GWA	REHAB	GAINS
Total	3199 (100%)	2156 (100%)	959 (100%)	82 (100%)	2 (100%)	2 (100%)
Under 20	277 (8.7%)	64 (3.0%)	153 (16.0%)	60 (73.2%)	-	-
20 - 29	608 (19.0%)	262 (12.2%)	333 (34.7%)	13 (15.8%)	-	-
30 - 49	1155 (36.1%)	835 (38.7%)	316 (33.0%)	4 (4.9%)	-	-
50 - 69	1081 (33.8%)	953 (44.2%)	123 (12.8%)	4 (4.9%)	1 (50.0%)	
70 and over	48 (1.5%)	33 (1.5%)	14 (1.4%)	-	1 (50.0%)	
Not Stated	30 (0.9%)	9 (0.4%)	20 (2.1%)	1 (1.2%)	-	-

Table 11: Number of Appeals and Hearings
during period 1969-70—1977-78

Fiscal Year	Number of Appeals	Number Closed Without Hearing	Number of Hearings	Percent Heard
1969-70	504	240	264	52.4
1970-71	878	230	648	73.8
1971-72	1,654	324	1,330	80.4
1972-73	2,011	220	1,791	89.1
1973-74	1,478	175	1,303	88.2
1974-75	2,081	313	1,768	85.0
1975-76	2,424	386	2,038	84.1
1976-77	3,644	695	2,949	80.9
1977-78	4,022	823	3,199	79.5
Total	18,696	3,406	15,290	

See Tables 1 and 12

Table 12: Percentage Increase/Decrease of Applications and Hearings during period 1969-70—1977-78

Fiscal Year	Number	Applications for Hearings		Cases Heard	
		Percent Increase (Decrease) Over Previous Year	Number	Percent Increase (Decrease) Over Previous Year	Number
1969-70	504		264		
1970-71	878	74.2%	648	145.5%	
1971-72	1,654	88.4%	1,330	105.2%	
1972-73	2,011	21.6%	1,791	34.8%	
1973-74	1,478	(26.5%)	1,303	(27.2%)	
1974-75	2,081	40.8%	1,768	35.7%	
1975-76	2,424	16.5%	2,038	15.3%	
1976-77	3,644	50.3%	2,949	44.7%	
1977-78	4,022	10.4%	3,199	8.5%	
Total	18,696		15,290		

See Table 11

Table 13: Percentage of Appeals Granted and Denied during period 1969-70—1977-78

Fiscal Year	Total	Appeals Granted	Appeals Denied	Referred Back	No Jurisdiction
1969-70	100%	47.0%	53.0%	-	-
1970-71	100%	34.7%	65.3%	-	-
1971-72	100%	29.9%	70.1%	-	-
1972-73	100%	29.0%	71.0%	-	-
1973-74	100%	34.0%	66.0%	-	-
1974-75	100%	17.1%	72.8%	10.1%	-
1975-76	100%	15.9%	76.9%	6.6%	0.6%
1976-77	100%	16.0%	80.0%	4.0%	-
1977-78	100%	17.5%	79.9%	2.5%	0.1%

See Table 6

Table 14: Percentage of Appeals Heard by Program during period 1969-70—1977-78

Fiscal Year	Total	FBA	GWA	REHAB	GAINS
1969-70	100%	48.9%	49.6%	1.5%	-
1970-71	100%	47.2%	50.0%	2.8%	-
1971-72	100%	48.4%	49.5%	2.1%	-
1972-73	100%	60.0%	39.2%	0.8%	-
1973-74	100%	65.8%	33.8%	0.4%	-
1974-75	100%	70.4%	28.0%	1.0%	0.6%
1975-76	100%	54.3%	41.2%	4.3%	0.2%
1976-77	100%	61.7%	35.4%	2.7%	0.2%
1977-78	100%	67.4%	30.0%	2.5%	0.1%

See Table 2

Table 15: Appeals to the Supreme Court of Ontario* during period 1969-70—1977-78

Fiscal Year	Appeals Opened	Appeals Heard	Appeals Withdrawn	Total Closed	Number Pending
1969-70	2	1	-	1	1
1970-71	1	1	-	1	1
1971-72	1	2	-	2	-
1972-73	6	3	3	6	-
1973-74	5	2	1	3	2
1974-75	4	3	1	4	2
1975-76	3	2	-	2	3
1976-77	17	4	1	5	15
1977-78	14	5	9	14	15
Total	53	23	15	38	

* Divisional Court

TABLE 16: TYPE OF REPRESENTATION ON BEHALF OF APPELLANT

	Appeals Heard	Percent
Legal Clinic	70	2.2
Private Lawyer	116	3.6
Citizens' Group	19	0.6
Friend or Family	764	23.9
Interpreter (usually friend or family)	73	2.3
Member of Provincial Parliament	43	1.3
Other	150	4.7
Appellant Alone	1391	43.5
Hearing Held in Absentia	573	17.9
Total Heard	3199	100%

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Tenth Annual Report **Social Assistance Review Board**

Fiscal Year 1978-1979



Ministry of
Community and
Social Services

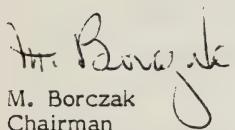
Letter of Transmittal

The Honourable Keith C. Norton
Minister of Community and Social Services

CASEN
SMITH
10-56

Sir:

I am pleased to present the tenth Annual Report of the Social Assistance Review Board, covering the fiscal year ending March 31, 1979.


M. Borczak
Chairman
Social Assistance Review Board

Board Members
As Of March 31, 1979

Chairman

M. Borczak

Vice-Chairmen

Desmond Bender
Henry J. Price
Uno Viegandt



Members

Norma Brown
Evelyn Buck
Ivo DiLuca
Norma Dool
Diana Eaton
Ross Edgar Edwards
G. Jean Elliott
Alene Holt
Maurice Hotte
Pierrette Lamarche
Gaetano Manuele
Ronald J. A. McMaster
Donald H. Morrow
George Nixon
John Pianosi
Alfred P. Simester

Executive Secretary

Frank Mulrooney

Legal Counsel

Harold E. Fulton, Q.C.

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The Social Assistance Review Board has now completed its tenth year of existence having begun operations on April 1, 1969. The Board's jurisdiction continues over the Family Benefits program, General Welfare Assistance (general assistance, but not special assistance), Vocational Rehabilitation Services and The Ontario Guaranteed Annual Income program. Board members are appointed by Order-in-Council for a term of three years and may be reappointed. The purpose of the Board is to provide, on appeal from an applicant or recipient, an objective review of an administrator's decision to deny, suspend, cancel or reduce assistance, or where there is dissatisfaction with the amount of assistance granted.

The Chairman of the Board of Review "may authorize one or more members to conduct a hearing and such member or members has or have all the powers of the Board for the purpose of such hearing and any decision of such member or members shall be a decision of the Board". Usually, two members are appointed to conduct a hearing, although on occasion, one or three members are appointed.

The powers of the board are set out in the Family Benefits Act as follows:

Section 12: (10) Where, after a hearing, the Board of Review has reviewed the decision of the Director, the board may,

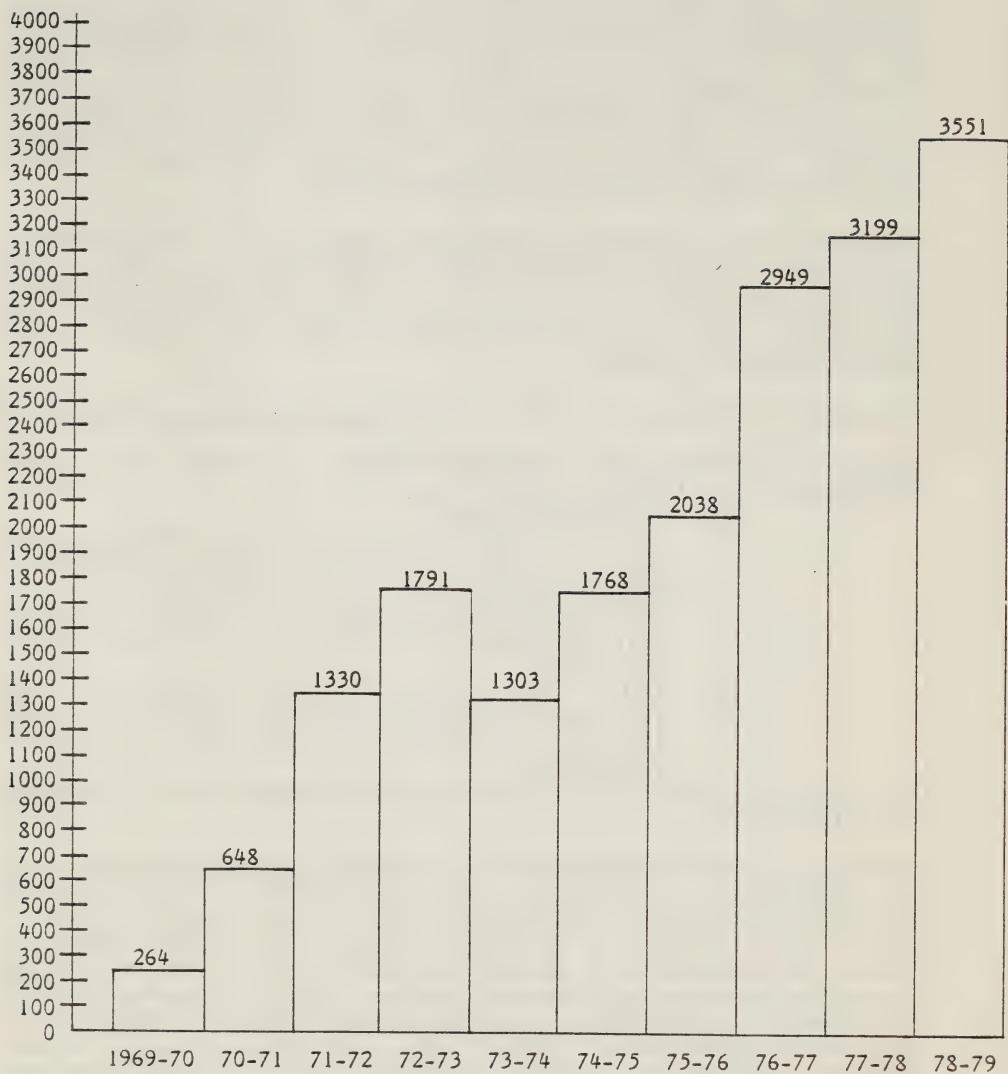
- (a) affirm the decision;
- (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or
- (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the regulations,

and the Director shall give effect to any directions given by the Board under this section.

Hearings are held in the community in which the appellant resides (Table 7), and frequently in the appellant's home. The board held hearings in 476 communities throughout the province during the year. Hearings are held in camera and are conducted in an informal manner. The appellant may at a hearing, be represented by counsel, or an agent, call and examine witnesses and present arguments and submissions and may conduct cross-examinations of witnesses so that there may be full and fair disclosure of the facts. The board gives its decision and order, if any, in writing, giving its reasons therefor. Decisions are available to the public, but the names of appellants are deleted to protect their privacy. The board may be requested to reconsider and vary its decision after a hearing, and a further appeal lies to the Divisional Court of the Supreme Court of Ontario on a question that is not a question of fact alone.

The workload of the board continues to increase as demonstrated in the graph on the next page. The number of applications for a hearing rose to 4,471, an increase of 11.2 percent over 1977-78. Of these, 907 were closed without a hearing but hearings were held in 3,551 cases, an increase of 11.0 percent in the number of hearings over the previous year (Table 12).

Number of Hearings



The largest proportion (68.3 percent) of the appeals heard was under the provincially administered Family Benefits Act, up from 67.4 percent of the total heard in 1977-78 (Table 14).

In Table 4, the largest group, (67.4 percent), refused assistance under The Family Benefits Act, was not considered permanently unemployable or disabled within the meaning of the legislation. On the other hand, in the case of General Welfare Assistance, the biggest single group, (64.6 percent), of refusals was for the reason that welfare administrators were not satisfied that applicants for assistance were making reasonable efforts to secure employment and that the continuing unemployment was due to circumstances beyond the control of applicants. Furthermore, 65.7 percent of General Welfare Assistance cases were cancelled or suspended during the year for the same reason (Table 5).

Statistical Tables

3

TABLE 1: NUMBER OF APPEALS

Total Appeals	4471	100%
Appeals Heard	3551	79.4%
Appeals Closed without a Hearing	907	20.3%
Appeals Pending	13	0.3%

Fiscal Year 1978 - 1979

TABLE 2: DISPOSITION OF APPEALS HEARD BY PROGRAMS

Total Cases Heard	3551	100%
Family Benefits	2425	68.3%
General Welfare Assistance	1046	29.5%
Rehabilitation Services	78	2.2%
Ontario Guaranteed Annual Income (GAINS)*	2	*

* Administered by Ministry of Revenue

Note: for brevity, the following are used in statistical tables:

FBA Family Benefits program
GWA General Welfare Assistance
REHAB Rehabilitation Services
GAINS Guaranteed Annual Income System
(administered by the Ministry of Revenue.)

TABLE 3: BASIS FOR APPEALS

	TOTAL	FBA	GWA	REHAB	GAINS
Total Heard	3551 (100%)	2425 (100%)	1046 (100%)	78 (100%)	2 (100%)
Refusal	2045 (57.6%)	1296 (53.4%)	675 (64.5%)	*74 (94.9%)	- -
Cancellation or Suspension	583 (16.4%)	315 (13.0%)	265 (25.3%)	3 (3.8%)	- -
Reduction	140 (3.9%)	113 (4.7%)	26 (2.5%)	- -	1 (50.0%)
Amount	783 (22.1%)	701 (28.9%)	80 (7.7%)	1 (1.3%)	1 (50.0%)

* Rehabilitation Services — Refusals

	Total Refused	Appeals Granted	Appeals Denied	Referred Back	Total
Learning Disability	60 (81.1%)	36 (60.0%)	22 (36.7%)	2 (3.3%)	60 (100%)
All Other	14 (18.9%)	2 (14.3%)	12 (85.7%)	- -	14 (100%)
Total	74 (100%)	38 (51.4%)	34 (45.9%)	2 (2.7%)	74 (100%)

See Table 6

TABLE 4: REASONS FOR REFUSAL OF ASSISTANCE

	Total	FBA	GWA	REHAB	GAINS
Not Considered	21 (1.0%)	-	-	-	21 (28.4%)
Disabled (REHAB)	873 (42.7%)	873 (67.4%)	-	-	-
Not Considered Permanently Unemployable or Disabled Sponsored Immigrant	89 (4.4%)	53 (4.1%)	36 (5.3%)	-	-
Not Living as a Single Person	38 (1.9%)	11 (0.8%)	27 (4.0%)	-	-
Not Making Reasonable Effort to Obtain Support	122 (6.0%)	116 (9.0%)	6 (0.9%)	-	-
Not Making Reasonable Effort to Obtain Employment	436 (21.3%)	-	-	436 (64.6%)	-
Income in Excess	113 (5.5%)	54 (4.2%)	59 (8.7%)	-	-
Assets in Excess	113 (5.5%)	89 (6.9%)	24 (3.6%)	-	-
Transfer of Property	23 (1.1%)	16 (1.2%)	7 (1.0%)	-	-
Not Deserted	35 (1.7%)	35 (2.7%)	-	-	-
Child Not in Care	2 (0.1%)	2 (0.1%)	-	-	-
Other	180 (8.8%)	47 (3.6%)	80 (11.9%)	53 (71.6%)	-
Total	2045 (100%)	1296 (100%)	675 (100%)	74 (100%)	-

TABLE 5: REASONS FOR CANCELLATION OR SUSPENSION OF ASSISTANCE

	Total	FBA	GWA	REHAB	GAINS
Not Considered	-	-	-	-	-
Disabled (REHAB)	-	-	-	-	-
Not Considered Permanently	-	-	-	-	-
Unemployable	1 (0.28)	-	-	1 (0.48)	-
Sponsored Immigrant	139 (23.88)	109 (34.68)	30 (11.38)	-	-
Not Living as a Single Person	10 (1.78)	8 (2.58)	2 (0.78)	-	-
Not Making Effort to Obtain Other Support	174 (29.98)	-	174 (65.78)	-	-
Not Making Effort to Obtain Employment	94 (16.18)	70 (22.28)	24 (9.18)	-	-
Income in Excess	66 (11.38)	50 (15.98)	16 (6.08)	-	-
Assets in Excess	16 (2.78)	11 (3.58)	5 (1.98)	-	-
Transfer of Property	-	-	-	-	-
Not Deserted	19 (3.38)	19 (6.08)	-	-	-
Child Not in Care	64 (11.08)	48 (15.38)	13 (4.98)	3 (100.08)	-
Other					
Total	583 (100%)	315 (100%)	265 (100%)	3 (100%)	-

TABLE 6: DISPOSITION OF APPEALS

	TOTAL	FBA	GWA	REHAB	GAINS
Total Heard	3551 (100%)	2425 (100%)	1046 (100%)	78 (100%)	2 (100%)
Appeal Granted	683 (19.28)	561 (23.18)	84 (8.08)	38 (48.78)	-
Appeal Denied	2803 (79.08)	1806 (74.58)	957 (91.58)	38 (48.78)	2 (100%)
Referred Back	60 (1.78)	56 (2.38)	2 (0.28)	2 (2.68)	-
No Jurisdiction	5 (0.18)	2 (0.18)	3 (0.38)	-	-

See Tables 3 and 13

TABLE 7: GEOGRAPHICAL LOCATION OF APPLICANTS

	1978-79		1977-78	
	Appeals Heard	Percentage	Appeals Heard	Percentage
MAJOR CITIES				
Population 100,000 and over*				
Brampton	16	0.4	6	0.2
Burlington	53	1.5	26	0.8
Hamilton	137	3.9	108	3.4
Kitchener	20	0.6	23	0.7
London	110	3.1	80	2.5
Metro Toronto	859	24.2	778	24.3
Mississauga	38	1.1	41	1.3
Oshawa	15	0.4	10	0.3
Ottawa	118	3.3	129	4.1
St. Catharines	50	1.4	36	1.1
Thunder Bay	24	0.7	23	0.7
Windsor	190	5.3	247	7.7
Total	1630	45.9	1507	47.1
OTHER COMMUNITIES				
Total	1921	54.1	1692	52.9
Appeals Heard	3551	100.0	3199	100.0

* Source: Ontario Municipal Directory 1979.

Community	Appeals	Community	Appeals	Community	Appeals
Ajax	2	Byng Inlet	1	Denbigh	1
Alexandria	5	Cache Bay	3	Denfield	1
Alfred	3	Caledon	1	Deseronto	5
Algoma Mills	1	Caledonia	1	Devlin	1
Alliston	4	Callander	5	Dowling	1
Almonte	1	Cambridge	5	Dresden	1
Alvinston	1	Camden East	1	Dundalk	3
Amherstburg	3	Cameron	2	Dundas	2
Amherstview	3	Campbellford	6	Dunnville	8
Angus	3	Cannington	1	Dunsford	3
Apsley	6	Capreol	1	Durham	9
Arnprior	7	Cardinal	1	Dutton	1
Arthur	1	Carleton Place	2	Ear Falls	2
Ashton	2	Carlsbad Springs	1	Earlton	1
Atherley	1	Casselman	12	Echo Bay	1
Atikokan	1	Castleton	1	Eganville	2
Aurora	5	Cayuga	1	Elmvale	2
Aylmer	5	Cedar Springs	1	Embro	1
Azilda	1	Chalk River	1	Embrun	1
Baillieboro	1	Chapleau	2	Emsdale	1
Bainsville	1	Chaput Hughes	2	Enterprise	3
Bancroft	6	Charlton	1	Erin	1
Barrie	14	Chatham	27	Espanola	3
Barry's Bay	1	Chelmsford	8	Exeter	2
Bath	3	Cherry Valley	1	Fauquier	1
Bay Ridges	1	Chesley	1	Fenelon Falls	2
Beachville	1	Chesterville	2	Fergus	2
Beamsville	3	Chippawa Hill	1	Field	4
Belle River	1	Chute au Blondeau	1	Finch	1
Belleville	24	Clinton	2	Fisherville	1
Berkeley	1	Cloyne	1	Flesherton	1
Bethany	2	Cobalt	2	Clinton	2
Blenheim	2	Cobourg	10	Fort Erie	9
Blezzard Valley	1	Cochrane	9	Fort Frances	6
Blind River	4	Codrington	1	Fournier	1
Bloomfield	2	Colborne	4	Foxboro	1
Bluevale	1	Coldwater	4	Frankford	1
Bobcaygeon	3	Collingwood	5	Fraserville	1
Bothwell	3	Combermere	1	Gananoque	3
Bourget	2	Coniston	4	Garson	1
Bracebridge	2	Connaught	2	Georgetown	3
Bradford	1	Copper Cliff	3	Glencoe	1
Brantford	69	Corbeil	2	Glen Robertson	1
Bridgenorth	4	Corbyville	1	Goderich	5
Bright	1	Cornwall	46	Godfrey	2
Brighton	7	Corunna	2	Gooderham	1
Brights Grove	3	Crysler	1	Gore Bay	1
Brinston	1	Crystal Beach	3	Gores Landing	1
Brockville	12	Dacre	1	Goulais River	1
Brunner	1	Deep River	1	Grand Bend	2
Brussels	1	Delhi	2	Grand Valley	4
Burford	2	Delta	1	Gravenhurst	6
Burks Falls	1	Demorestville	1	Green Valley	1

Community	Appeals	Community	Appeals	Community	Appeals
Grimsby	1	Lefroy	1	Mount Hope	1
Guelph	26	Levack	1	Napanee	17
Hagarsville	1	Lindsay	19	Newboro	1
Haileybury	2	Little Britain	1	Newburgh	3
Haldimand	2	Long Sault	2	Newbury	3
Haliburton	1	L'Orignal	4	New Dundee	1
Halton Hills	1	Lucan	1	New Liskeard	8
Hammond	1	Lucknow	1	Newmarket	16
Hamner	5	Lunenburg	2	Newtonville	1
Hanover	5	Mactier	1	Niagara Falls	30
Harrow	3	Madoc	1	Niagara-on-the-Lake	1
Hastings	1	Magnetawan	1	Nipissing	2
Havelock	7	Mallorytown	1	Noelville	2
Hawkesbury	18	Manilla	1	Nolalu	2
Hearst	18	Manotick	1	Norland	1
Hepworth	3	Maple	1	North Bay	36
Hickson	1	Maple Leaf	1	Northbrook	1
Hillier	1	Markdale	1	North Lancaster	1
Hillsburgh	1	Markham	7	Norval	1
Holland Landing	1	Marlbank	1	Norwood	4
Holstein	2	Marmora	3	Novar	1
Holtyre	1	Martintown	2	Oak Ridges	2
Hornell Heights	1	Massey	1	Oakville	10
Huntsville	10	Matheson	3	Oakwood	1
Huron Park	1	Mattawa	12	Odessa	4
Ilderton	1	Mattice	1	Ohsweken	1
Ingersoll	2	Maxville	1	Omeme	2
Ingleside	2	Maxwell	1	Orangeville	9
Inverary	1	McGregor	2	Orillia	19
Iroquois Falls	2	Meadowvale	1	Orleans	3
Jackson's Point	3	Meaford	2	Oro Station	1
Kanata	1	Melbourne	2	Osgoode	1
Kapuskasing	32	Merlin	1	Owen Sound	11
Kemptville	1	Merrickville	1	Pakenham	2
Kenora	7	Midland	8	Palmerston	1
Keswick	5	Mildmay	1	Paris	1
Kettleby	1	Milford	2	Parkhill	1
Killaloe	1	Millbrooke	1	Parry Sound	2
Kilworth	1	Milton	6	Pefferlaw	2
Kimberley	1	Milverton	1	Pembroke	12
Kingston	59	Minaki	1	Penetang	6
Kingsville	5	Minden	2	Perth	6
Kirkfield	4	Mitchell	2	Perth Road	2
Kirkland Lake	28	Monkland	1	Peterborough	56
Lakefield	4	Monteith	1	Petrolia	2
Lanark	2	Moonbeam	4	Pickering	3
Lancaster	2	Moose Creek	1	Picton	7
Langton	2	Moosonee	1	Plantagenet	3
Latchford	1	Morpeth	1	Point Edward	1
Laurel	1	Morrisburg	1	Port Colborne	18
Leamington	10	Morson	1	Port Dover	2
Lefaivre	1	Mount Brydges	2	Port Elgin	1

Community	Appeals	Community	Appeals	Community	Appeals
Port Hope	11	Smooth Rock Falls	2	Uxbridge	1
Port McNicoll	5	Sombra	1	Val Caron	2
Port Perry	3	South Mountain	1	Val Cote	1
Port Robinson	2	South Porcupine	2	Val Rita	2
Port Severn	1	South River	1	Vanier	17
Port Stanley	1	Spanish	1	Vankleek Hill	3
Powassan	2	Sparta	1	Vermillion Bay	1
Prescott	2	Spencerville	1	Verner	5
Princeton	1	Springfield	1	Victoria Harbour	2
Proton Station	1	Stayner	7	Vienna	2
Queensville	1	Sterling	1	Vittoria	1
Rainy River	1	Stevensville	1	Wainfleet	2
Raith	1	Stittsville	1	Walkerton	1
Ramore	2	Stoney Creek	5	Wallaceburg	4
Red Lake	2	Stouffville	1	Warkworth	1
Renfrew	11	Stratford	9	Warren	1
Richmond	1	Strathroy	4	Warsaw	1
Richmond Hill	3	Stroud	5	Wasaga Beach	7
Rideau Ferry	1	Sturgeon Falls	19	Washago	1
Ridgetown	2	Sudbury	85	Waterloo	4
Ridgeville	2	Sultan	1	Watford	1
Ridgeway	2	Sunderland	1	Wawa	1
River Valley	3	Sunnidale Corners	1	Webbwood	1
Rockland	4	Sutton West	3	Welland	48
Rockwood	1	Sydenham	3	Wellandport	1
Rodney	1	Tamworth	1	Wendover	1
Rolphton	1	Tara	3	Westport	1
Round Lake Centre	1	Tavistock	1	Wheatley	3
Russell	2	Terrace Bay	1	Whitby	2
St. Albert	2	Thamesford	1	Whitefish	1
St. Eugene	3	Thamesville	2	Whitney	3
St. Isidore de Prescott	1	Thedford	4	Wiarton	3
St. Thomas	8	Thessalon	1	Wikwemikong	2
Salford	1	Thomasburg	2	Wilkesport	1
Sarnia	30	Thornbury	1	Williamsburg	1
Sault Ste. Marie	34	Thorne	1	Williamstown	2
Savant Lake	1	Thornhill	3	Willow Beach	3
Schumacher	2	Thorold	3	Wilno	3
Scotland	1	Tichborne	1	Wingham	2
Seaforth	2	Tilbury	2	Woodbridge	4
Severn Bridge	2	Tillsonburg	3	Woodlawn	2
Shallow Lake	2	Timmins	42	Woodstock	18
Shannonville	1	Tiverton	1	Woodville	2
Sheguiandah	1	Tobermory	1	Wooler	1
Shelburne	1	Tottenham	3	Worthington	1
Simcoe	11	Trenton	17	Wroxeter	1
Sioux Lookout	1	Trout Creek	2	Wyebridge	2
Smiths Falls	9	Tweed	8	Wyoming	1
Smithville	1	Unionville	1	Yarker	1
		Utterson	1	Zephyr	1

Total 1921

TABLE 8 : DISTRIBUTION BY SEX

	TOTAL CASES				
	HEARD	FBA	GWA	REHAB	GAINS
Total	3551 (100%)	2425 (100%)	1046 (100%)	78 (100%)	2 (100%)
Male	1845 (52.08%)	1057 (43.68%)	723 (69.18%)	64 (82.18%)	1 (50.08%)
Female	1706 (48.08%)	1368 (56.48%)	323 (30.98%)	14 (17.98%)	1 (50.08%)

TABLE 9 : FAMILY STATUS

	TOTAL CASES				
	HEARD	FBA	GWA	REHAB	GAINS
Total	3551 (100%)	2425 (100%)	1046 (100%)	78 (100%)	2 (100%)
Married	1316 (37.18%)	905 (37.38%)	406 (38.88%)	3 (3.88%)	2 (100%)
Single	1484 (41.88%)	878 (36.28%)	531 (50.88%)	75 (96.28%)	- -
Widowed	370 (10.48%)	331 (13.78%)	39 (3.78%)	- -	- -
Divorced	363 (10.28%)	308 (12.78%)	55 (5.38%)	- -	- -
Not Stated	18 (0.58%)	3 (0.18%)	15 (1.48%)	- -	- -

TABLE 10 : AGE GROUPS

	TOTAL CASES				
	HEARD	FBA	GWA	REHAB	GAINS
Total	3551 (100%)	2425 (100%)	1046 (100%)	78 (100%)	2 (100%)
Under 20	286 (8.18%)	51 (2.18%)	174 (16.68%)	61 (78.28%)	- -
20 - 29	710 (20.08%)	326 (13.48%)	375 (35.88%)	9 (11.58%)	- -
30 - 49	1244 (35.08%)	917 (37.88%)	319 (30.58%)	8 (10.38%)	- -
50 - 69	1230 (34.68%)	1089 (44.98%)	139 (13.38%)	- -	2 (100%)
70 and over	38 (1.18%)	26 (1.18%)	12 (1.28%)	- -	- -
Not Stated	43 (1.28%)	16 (0.78%)	27 (2.68%)	- -	- -

TABLE 11: NUMBER OF APPEALS AND HEARINGS DURING PERIOD 1969-70 -- 1978-79

Fiscal Year	Number of Appeals	Number Closed Without Hearing	Number of Hearings	Appeals Pending	Percent Heard
1969-70	504	240	264	-	52.4
1970-71	878	230	648	-	73.8
1971-72	1,654	324	1,330	-	80.4
1972-73	2,011	220	1,791	-	89.1
1973-74	1,478	175	1,303	-	88.2
1974-75	2,081	313	1,768	-	85.0
1975-76	2,424	386	2,038	-	84.1
1976-77	3,644	695	2,949	-	80.9
1977-78	4,022	823	3,199	-	79.5
1978-79	4,471	907	3,551	13	79.4
Total	23,167	4,313	18,841	13	

See Tables 1 and 12

TABLE 12: PERCENTAGE INCREASE/DECREASE OF APPLICATIONS AND HEARINGS DURING PERIOD 1969-70 -- 1978-79

Fiscal Year	Applications for Hearings		Cases Heard	
	Number	Percent Increase (Decrease) Over Previous Year	Number	Percent Increase (Decrease) Over Previous Year
1969-70	504		264	
1970-71	878	74.2%	648	145.5%
1971-72	1,654	88.4%	1,330	105.2%
1972-73	2,011	21.6%	1,791	34.8%
1973-74	1,478	(26.5%)	1,303	(27.2%)
1974-75	2,081	40.8%	1,768	35.7%
1975-76	2,424	16.5%	2,038	15.3%
1976-77	3,644	50.3%	2,949	44.7%
1977-78	4,022	10.4%	3,199	8.5%
1978-79	4,471	11.2%	3,551	11.0%
Total	23,167		18,841	

See Table 11

TABLE 13: PERCENTAGE OF APPEALS GRANTED AND DENIED DURING PERIOD 1969-70 -- 1978-79

Fiscal Year	Total	Appeals Granted	Appeals Denied	Referred Back	No Jurisdiction
1969-70	100%	47.0%	53.0%	-	-
1970-71	100%	34.7%	65.3%	-	-
1971-72	100%	29.9%	70.1%	-	-
1972-73	100%	29.0%	71.0%	-	-
1973-74	100%	34.0%	66.0%	-	-
1974-75	100%	17.1%	72.8%	10.1%	-
1975-76	100%	15.9%	76.0%	6.6%	0.6%
1976-77	100%	16.0%	80.0%	4.0%	-
1977-78	100%	17.5%	79.9%	2.5%	0.1%
1978-79	100%	19.2	79.0%	1.7%	0.1%

See Table 6

**TABLE 14: PERCENTAGE OF APPEALS HEARD BY PROGRAM
DURING PERIOD 1969-70 -- 1978-79**

Fiscal Year	Total	FBA	GWA	REHAB	GAINS
1969-70	100%	48.9%	49.6%	1.5%	-
1970-71	100%	47.2%	50.0%	2.8%	-
1971-72	100%	48.4%	49.5%	2.1%	-
1972-73	100%	60.0%	39.2%	0.8%	-
1973-74	100%	65.8%	33.8%	0.4%	-
1974-75	100%	70.4%	28.0%	1.0%	0.6%
1975-76	100%	54.3%	41.2%	4.3%	0.2%
1976-77	100%	61.7%	35.4%	2.7%	0.2%
1977-78	100%	67.4%	30.0%	2.5%	0.1%
1978-79	100%	68.3%	29.5%	2.2% (less than 0.1%)	

See Table 2

**TABLE 15: APPEALS TO THE SUPREME COURT OF ONTARIO*
DURING PERIOD 1969-70 -- 1978-79**

Fiscal Year	Appeals Opened	Appeals Heard	Appeals Withdrawn	Total Closed	Number Pending
1969-70	2	1	-	1	1
1970-71	1	1	-	1	1
1971-72	1	2	-	2	-
1972-73	6	3	3	6	-
1973-74	5	2	1	3	2
1974-75	4	3	1	4	2
1975-76	3	2	-	2	3
1976-77	17	4	1	5	15
1977-78	14	5	9	14	15
1978-79	12	6	8	14	13
Total	65	29	23	52	

* Divisional Court

TABLE 16: TYPE OF REPRESENTATION ON BEHALF OF APPELLANT

	Appéals Heard	Percent
Legal Clinic	55	1.5
Private Lawyer	159	4.5
Citizens' Group	34	1.0
Friend or Family	782	22.0
Interpreter (usually friend or family)	97	2.7
Member of Provincial Parliament	75	2.1
Other	181	5.1
Appellant Alone	1587	44.7
Hearing Held in Absentia	581	16.4
Total Heard	3551	100%



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Eleventh Annual Report **Social Assistance Review Board**

Fiscal Year 1979-1980

MINISTRY OF COMMUNITY AND SOCIAL SERVICES



Social
Assistance
Review
Board
Ontario



International Year
of Disabled Persons
1981

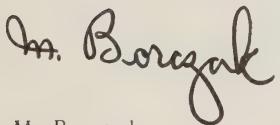
Letter of Transmittal

CASIN
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The Honourable Keith C. Norton
Minister of Community and Social Services

Sir:

I am pleased to present the eleventh Annual Report of the Social Assistance Review Board, covering the fiscal year ending March 31, 1980.



M. Borczak
Chairman
Social Assistance Review Board



Board Members
as of March 31, 1980

Chairman

M. Borczak

Vice-Chairmen

Desmond Bender
Norma Brown
Ross Edgar Edwards
Henry J. Price

Members

Evelyn Buck
Ivo DiLuca
Norma Dool
Diana Eaton
G. Jean Elliott
Alene Holt
Maurice Hotte
Pierrette Lamarche
Gaetano Manuele
F. June Marks
Ronald J.A. McMaster
Donald H. Morrow
George Nixon
Gloria F. O'Connor
John Pianosi

Executive Secretary

Frank Mulrooney

Legal Counsel

Harold E. Fulton, Q. C.

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The Social Assistance Review Board has now completed its eleventh year of existence having begun operations on April 1, 1969. The Board's jurisdiction continues over the Family Benefits program, General Welfare Assistance (general assistance, but not special assistance), Vocational Rehabilitation Services, The Ontario Guaranteed Annual Income program and Co-payment for Chronic Care Services under The Health Insurance Act, 1972. Board members are appointed by Order-in-Council for a term of three years and may be reappointed. The purpose of the Board is to provide, on appeal from an applicant or recipient, an objective review of an administrator's decision to deny, suspend, cancel or reduce assistance, or where there is dissatisfaction with the amount of assistance granted.

The Chairman of the Board of Review "may authorize one or more members to conduct a hearing and such member or members has or have all the powers of the Board for the purpose of such hearing and any decision of such member or members shall be a decision of the Board". Usually, two members are appointed to conduct a hearing, although on occasion, one or three members are appointed.

The powers of the Board are set out in the The Family Benefits Act as follows:

Section 12: (10) Where, after a hearing, the Board of Review has reviewed the decision of the Director, the Board may,

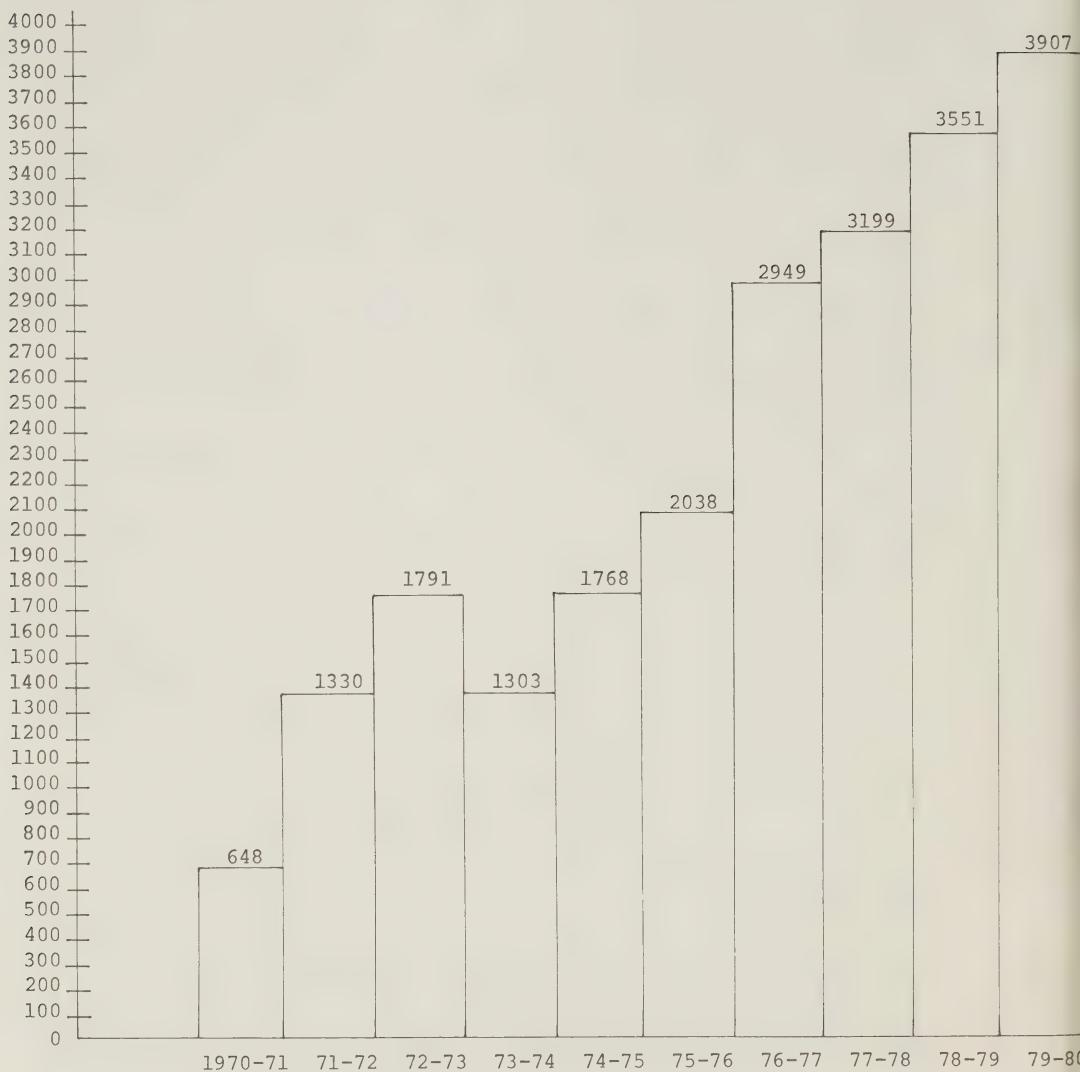
- (a) affirm the decision;
- (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the Board considers proper, and for such purpose the Board may substitute its opinion for the opinion of the Director; or
- (c) refer the matter back to the Director for reconsideration in accordance with such directions as the Board considers proper under this Act and the regulations,

and the Director shall give effect to any directions given by the Board under this section.

Hearings are held in the community in which the appellant resides (Table 7), and frequently in the appellant's home. The Board held hearings in 482 communities throughout the province during the year. Hearings are held in camera and are conducted in an informal manner. The appellant may at a hearing, be represented by counsel, or an agent, call and examine witnesses and present arguments and submissions and may conduct cross-examinations of witnesses so that there may be full and fair disclosure of the facts. The Board gives its decision and order, if any, in writing, giving its reasons therefor. Decisions are available to the public, but the names of appellants are deleted to protect their privacy. The Board may be requested to reconsider and vary its decision after a hearing, and a further appeal lies to the Divisional Court of the Supreme Court of Ontario on a question that is not a question of fact alone.

The workload of the Board continues to increase as demonstrated in the graph on the next page. The number of applications for a hearing rose to 4,929, an increase of 10.2 percent over 1978-79. Of these, 944 were closed without a hearing but hearings were held in 3,907 cases, an increase of 10.0 percent in the number of hearings over the previous year (Table 12).

Number of Hearings Held During the Ten-year Period 1970-71 - 1979-80



The largest proportion (68.6 percent) of the appeals heard was under the provincially administered Family Benefits Act, up from 68.3 percent of the total heard in 1978-79 (Table 14).

In Table 4, the largest group, (69.0 percent), refused assistance under The Family Benefits Act, was not considered permanently unemployed or disabled within the meaning of the legislation. On the other hand, in the case of General Welfare Assistance, the biggest single group, (69.2 percent), of refusals was for the reason that welfare administrators were not satisfied that applicants for assistance were making reasonable efforts to secure employment and that the continuing unemployment was due to circumstances beyond the control of applicants. Furthermore, 61.0 percent of General Welfare Assistance cases were cancelled or suspended during the year for the same reason (Table 5).

Statistical Tables

Fiscal Year 1979 - 1980

TABLE 1: NUMBER OF APPEALS

Appeals Received	4929	
Brought forward from previous year	13	
Total Appeals	4942	100%

Appeals Heard	3907	79.1%
Appeals Closed Without a Hearing	944	19.1%
Appeals Pending	91	1.8%

TABLE 2: DISPOSITION OF APPEALS HEARD BY PROGRAMS

Total Cases Heard	3907	100%
Family Benefits	2679	68.6%
General Welfare Assistance	1133	29.0%
Rehabilitation Services	74	1.9%
Ontario Guaranteed Annual Income (GAINS)*	2	-
Co-Payment** 19		0.5%

*Administered by Ministry of Revenue

**Chronic Care Services under The Health Insurance Act, 1972

Note:	for brevity, the following are used in statistical tables:
FBA	Family Benefits program
GWA	General Welfare Assistance
REHAB	Rehabilitation Services
GAINS	Guaranteed Annual Income System (administered by the Ministry of Revenue).
CO-PAYMENT	Chronic Care Services under The Health Insurance Act, 1972

TABLE 3: BASIS FOR APPEALS

	TOTAL	FBA	GWA	REHAB	GAINS	COPAYMENT
Total Heard	3907 (100%)	2679 (100%)	1133 (100%)	74 (100%)	2 (100%)	19 (100%)
Refusal	2285 (58.5%)	1430 (53.4%)	769 (67.9%)	*67 (90.6%)	- -	19 (100%)
Cancellation or Suspension	625 (16.0%)	349 (13.0%)	272 (24.0%)	3 (4.0%)	1 (50.0%)	- -
Reduction	132 (3.4%)	111 (4.1%)	20 (1.8%)	- -	1 (50.0%)	- -
Amount	865 (22.1%)	789 (29.5%)	72 (6.3%)	4 (5.4%)	- -	- -

* Rehabilitation Services -- Refusals

	Total Refusals	Appeals Granted	Appeals Denied	Referred Back	No Jurisdiction	Total
Learning Disability	49 (73.1%)	17 (34.7%)	30 (61.2%)	2 (4.1%)	- -	49 (100%)
All Other	18 (26.9%)	4 (22.2%)	14 (77.8%)	- -	- -	18 (100%)
Total	67 (100%)	21 (31.3%)	44 (65.7%)	2 (3.0%)	- -	67 (100%)

See Table 6

TABLE 4: REASONS FOR REFUSAL OF ASSISTANCE

	Total	FBA	GWA	REHAB	GATNS	CO-PAYMENT
Not Considered Disabled (REHAB)	23 (1.0%)	-	-	-	23 (34.3%)	-
Not Considered Permanently Unemployable	986 (43.2%)	986 (69.0%)	-	-	-	-
Sponsored Immigrant	77 (3.4%)	47 (3.3%)	30 (3.9%)	-	-	-
Not Living as a Single Person	31 (1.3%)	12 (0.8%)	19 (2.5%)	-	-	-
Not Making Effort to Obtain Other Support	129 (5.6%)	118 (8.3%)	11 (1.4%)	-	-	-
Not Making Effort to Obtain Employment	532 (23.3%)	-	532 (69.2%)	-	-	-
Income in Excess	154 (6.7%)	73 (5.1%)	62 (8.1%)	-	-	19 (100%)
Assets in Excess	159 (7.0%)	117 (8.1%)	42 (5.4%)	-	-	-
Transfer of Property	16 (0.7%)	13 (0.9%)	3 (0.4%)	-	-	-
Not Deserted	4 (0.2%)	4 (0.3%)	-	-	-	-
Child Not in Care	4 (0.2%)	4 (0.3%)	-	-	-	-
Other	170 (7.4%)	56 (3.9%)	70 (9.1%)	44 (65.7%)	-	-
Total	2285 (100%)	1430 (100%)	769 (100%)	67 (100%)	-	19 (100%)

TABLE 5: REASONS FOR CANCELLATION OR SUSPENSION OF ASSISTANCE

	Total	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Not Considered Disabled (REHAB)	-	-	-	-	-	-
Not Considered Permanently Unemployable	-	-	-	-	-	-
Sponsored Immigrant	5 (0.8%)	-	-	5 (1.9%)	-	-
Not Living as a Single Person	172 (27.5%)	143 (41.0%)	29 (10.7%)	-	-	-
Not Making Effort to Obtain Other Support	7 (1.1%)	5 (1.4%)	2 (0.7%)	-	-	-
Not Making Effort to Obtain Employment	166 (26.6%)	-	166 (61.0%)	-	-	-
Income in Excess	104 (16.6%)	76 (21.8%)	28 (10.3%)	-	-	-
Assets in Excess.	64 (10.3%)	46 (13.2%)	18 (6.6%)	-	-	-
Transfer of Property	14 (2.2%)	11 (3.2%)	3 (1.0%)	-	-	-
Not Deserted	1 (0.2%)	1 (0.3%)	-	-	-	-
Child Not in Care	35 (5.6%)	34 (9.7%)	1 (0.4%)	-	-	-
Other	57 (9.1%)	33 (9.4%)	20 (7.4%)	3 (100%)	1 (100%)	-
Total	625 (100%)	349 (100%)	272 (100%)	3 (100%)	1 (100%)	-

TABLE 6: DISPOSITION OF APPEALS

	TOTAL	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Total Heard	3907 (100%)	2679 (100%)	1133 (100%)	74 (100%)	2 (100%)	19 (100%)
Appeals Granted	543 (13.9%)	432 (16.1%)	89 (7.8%)	22 (29.7%)	-	-
Appeals Denied	3225 (82.5%)	2129 (79.5%)	1026 (90.6%)	49 (66.2%)	2 (100%)	19 (100%)
Referred Back	113 (2.9%)	102 (3.8%)	8 (0.7%)	3 (4.1%)	-	-
No Jurisdiction	26 (0.7%)	16 (0.6%)	10 (0.9%)	-	-	-

See Tables 3 and 13

TABLE 7: GEOGRAPHIC LOCATION OF APPLICANTS

	1979-80		1978-79	
	Appeals Heard	Percent	Appeals Heard	Percent
MAJOR CITIES				
Population 100,000 and over*				
Brampton	11	0.3	16	0.4
Burlington	31	0.8	53	1.5
Hamilton	132	3.4	137	3.9
Kitchener	19	0.4	20	0.6
London	121	3.1	110	3.1
Metropolitan Toronto	957	24.5	859	24.2
Mississauga	31	0.8	38	1.1
Oshawa	20	0.5	15	0.4
Ottawa	127	3.3	118	3.3
St. Catharines	64	1.6	50	1.4
Thunder Bay	36	0.9	24	0.7
Windsor	285	7.3	190	5.3
Total	1834	46.9	1630	45.9
OTHER COMMUNITIES				
Total	2073	53.1	1921	54.1
Appeals Heard	3907	100.0	3551	100.0

* Source: Ontario Municipal Directory 1980.

Community	Appeals	Community	Appeals	Community	Appeals
Acton	2	Bruce Mines	1	Denfield	1
Addison	1	Brussels	4	Desbarats	1
Ailsa Craig	1	Burford	1	Deseronto	5
Ajax	2	Burks Falls	1	Dinorwic	1
Alban	1	Burleigh Falls	1	Dorset	1
Alexandria	9	Burritts Rapids	1	Dowling	1
Alfred	9	Byng Inlet	2	Dresden	2
Allanwater	1	Cache Bay	1	Drumbo	2
Alliston	1	Caledon	1	Dryden	2
Alvinston	1	Caledonia	2	Dundalk	7
Ameliasburg	2	Callander	2	Dundas	2
Amherstburg	3	Calstock	1	Dunnville	5
Amherstview	1	Cambridge	13	Durham	5
Ancaster	1	Cameron	2	Ear Falls	2
Angus	2	Camlachie	3	Earlton	1
Annan	1	Campbellcroft	1	Echo Bay	1
Apple Hill	1	Campbellford	6	Eganville	6
Apsley	2	Canfield	1	Elmvale	1
Arden	2	Cannifton	2	Embro	1
Ariss	1	Carleton Place	4	Embrun	2
Arnprior	4	Cartier	1	Emo	4
Aspen	1	Casselman	9	Englehart	3
Athens	1	Castleton	1	Ennismore	1
Atikokan	1	Cayuga	1	Enterprise	1
Aurora	9	Chalk River	1	Erin	1
Avonmore	1	Chapleau	3	Espanola	3
Aylmer	2	Chatham	28	Essex	1
Ayton	1	Chelmsford	3	Exeter	3
Balmertown	1	Cherry Valley	1	Fauquier	2
Bancroft	11	Chesterville	1	Fenelon Falls	2
Barrie	25	Clarksburg	1	Fenwick	2
Barry's Bay	2	Clinton	2	Fergus	1
Batchawana Bay	1	Cobalt	6	Field	1
Bath	4	Cobden	1	Finch	2
Beamsville	5	Cobourg	10	Flesherton	3
Belgrave	1	Cochrane	15	Flinton	1
Belleville	37	Coe Hill	1	Florence	3
Berkeley	1	Colborne	2	Fordwich	1
Bethany	1	Coldwater	1	Forest	3
Blenheim	4	Collingwood	7	Fort Erie	9
Blind River	5	Consecon	2	Fort Frances	3
Bloomfield	1	Cookstown	2	Fournier	3
Bolton	2	Copper Cliff	2	Foxboro	1
Bonfield	4	Corbeil	2	Frazerville	1
Bothwell	3	Corbyville	1	Fruitland	1
Bracebridge	3	Cornwall	59	Gananoque	3
Bradford	9	Corunna	1	Garson	4
Brantford	38	Courtright	1	Georgetown	3
Brechin	2	Crystal Beach	6	Glen Robertson	1
Brighton	7	Cumberland	1	Goderich	3
Brights Grove	2	Cumberland Beach	1	Godfrey	1
Brinston	1	Delhi	4	Golden Lake	4
Brockville	15	Denbigh	2	Gooderham	3

Community	Appeals	Community	Appeals	Community	Appeals
Goodwood	1	King City	1	Midland	16
Grafton	2	Kingston	59	Milford	1
Grand Bend	1	Kingsville	3	Millbrook	3
Grande Pointe	1	Kinmount	1	Milliken	1
Grand Valley	3	Kirkfield	1	Milton	3
Gravenhurst	4	Kirkland Lake	31	Milverton	2
Green Valley	4	Lakefield	4	Mindemoya	1
Grimsby	4	Lakeside	1	Minden	1
Guelph	21	Lanark	1	Mitchell	2
Hagersville	2	Lancaster	1	Monkland	2
Haileybury	2	Langton	1	Monteith	1
Haliburton	1	Lansdowne	1	Moonbeam	5
Hallebourg	1	Larder Lake	3	Moose Creek	2
Halton Hills	1	La Salette	1	Moosonee	2
Hanner	3	La Salle	3	Morewood	1
Hanover	10	Laurel	5	Morpeth	2
Harrowsmith	1	Leamington	4	Morrisburg	3
Hartington	1	Levack	1	Mountain	1
Hastings	2	Limoges	5	Mount Brydges	1
Havelock	7	Lindsay	13	Mount Forest	2
Hawkesbury	26	Listowel	2	Napanee	16
Hearst	14	Little Current	1	Nepean	2
Heathcote	1	Lively	1	Newboro	1
Hensall	1	Long Sault	1	Newbury	1
Hepworth	1	L'Orignal	2	New Liskeard	7
Holland Centre	1	Lowbanks	1	New Lowell	1
Holtyre	2	Lucan	1	Newmarket	11
Hornby	1	Lucknow	1	Niagara Falls	44
Horning Mills	1	Lunenburg	1	Niagara-on-the-Lake	1
Hudson	1	Lyndhurst	1	Nipigon	3
Huntsville	4	Madoc	4	Nipissing	2
Huron Park	1	Magnetawan	2	Noelville	1
Indian River	1	Maitland	1	Nolalu	1
Ingersoll	3	Mallorytown	1	Norland	2
Iroquois	4	Manilla	1	North Bay	49
Iroquois Falls	3	Manitowaning	2	Northbrook	2
Jackson's Point	1	Manotick	1	North Gower	1
Jasper	1	Marlbank	2	North Lancaster	1
Jogues	1	Markdale	2	Norwood	1
Kaladar	5	Markham	4	Oak Ridges	3
Kaministiquia	1	Markstay	2	Oakville	15
Kanata	3	Marmora	8	Oakwood	1
Kapuskasing	22	Martintown	1	Odessa	1
Keene	2	Marysville	2	Ohsweken	2
Keewatin	3	Massey	1	Omeme	2
Kemptville	2	Matheson	3	Orangeville	2
Kendal	1	Mattawa	15	Orillia	33
Kenora	3	Mattice	3	Orleans	2
Kent Bridge	1	Maynooth	2	Oxford Mills	1
Keswick	5	McArthur's Mills	1	Owen Sound	13
Killaloe	1	Meaford	2	Palmer Rapids	2
Kilworthy	1	Melbourne	1	Paris	6
Kincardine	1	Merrickville	1	Parkhill	2

Community	Appeals	Community	Appeals	Community	Appeals
Parry Sound	8	Sarnia	30	Tweed	5
Pefferlaw	1	Sarsfield	1	Uxbridge	1
Pembroke	10	Sault Ste. Marie	30	Val Caron	5
Penetang	11	Schreiber	1	Val Cote	1
Perkinsfield	1	Schumacher	2	Val Gagne	1
Perth	6	Scotland	2	Val Rita	1
Perth Road	1	Seaforth	3	Vanier	16
Petawawa	3	Seagrave	1	Vankleek Hill	4
Peterborough	77	Shallow Lake	2	Vars	1
Picton	6	Shannonville	2	Verner	3
Plainfield	1	Sharbot Lake	1	Verona	1
Plantagenet	1	Shelburne	4	Victoria Harbour	1
Pontypool	1	Simcoe	8	Vineland	1
Port Burwell	1	Sioux Narrows	1	Virginiatown	1
Port Colborne	39	Smiths Falls	7	Vittoria	1
Port Dover	1	Smithville	2	Wahnipitae	3
Port Hope	6	Smooth Rock Falls	4	Wainfleet	4
Portland	3	Southampton	1	Walkerton	1
Port McNicoll	10	South Porcupine	2	Wallaceburg	3
Port Perry	2	South River	6	Walsingham	1
Port Rowan	1	Spanish	1	Wardsville	1
Port Stanley	3	Spring Bay	1	Wasaga Beach	2
Powassan	3	Springfield	2	Waterford	1
Prescott	5	Stayner	2	Waterloo	7
Rainy River	1	Stevensville	1	Watford	1
Raith	1	Stoney Creek	8	Waubashene	3
Ramore	2	Stratford	21	Wawa	3
Red Lake	2	Strathroy	9	Welland	43
Renfrew	8	Streetsville	1	Wendover	3
Richmond	1	Stroud	2	West Lorne	1
Richmond Hill	8	Surgeon Falls	15	Westmeath	2
Rideau Ferry	1	Sudbury	79	Wheatley	1
Ridgetown	3	Summerstown	1	Whitby	6
Ridgeway	1	Sunderland	1	Whitefish	1
Ripley	1	Sutton	1	Whitney	3
Riverdrive Park	1	Sutton West	1	Wikwemikong	2
River Valley	1	Sydenham	1	Williamstown	1
Roblin	3	Tara	1	Willow Beach	1
Rockland	3	Tavistock	1	Woodlawn	1
Rodney	2	Tecumseh	1	Woodstock	13
Roseneath	1	Teeswater	1	Woodville	1
Round Lake Centre	1	Temagami	2	Wooler	1
Russell	2	Thamesford	1	Wyoming	1
Rutherglen	3	Thedford	1	Yarker	1
St. Andrews West	4	Thessalon	1	Young's Point	1
Ste. Anne de Prescott	2	Thomasburg	1	Zephyr	1
St. Eugene	1	Thornhill	8		
St. George	1	Thorold	3		
St. Mary's	3	Tilbury	4	Total	2073
St. Thomas	14	Tillsonburg	7		
St. Williams	1	Timmins	35		
Sanford	1	Tottenham	1		
Sandwich	1	Trenton	22		

TABLE 8: DISTRIBUTION BY SEX

	TOTAL CASES HEARD	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Total	3907 (100%)	2679 (100%)	1133 (100%)	74 (100%)	2 (100%)	19 (100%)
Male	2077 (53.2%)	1194 (44.6%)	809 (71.4%)	59 (79.7%)	1 (50.0%)	14 (73.7%)
Female	1830 (46.8%)	1485 (55.4%)	324 (28.6%)	15 (20.3%)	1 (50.0%)	5 (26.3%)

TABLE 9: FAMILY STATUS

	TOTAL CASES HEARD	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Total	3907 (100%)	2679 (100%)	1133 (100%)	74 (100%)	2 (100%)	19 (100%)
Single	1668 (42.7%)	1029 (38.4%)	565 (49.9%)	67 (90.6%)	-	7 (36.9%)
Married	1291 (33.1%)	855 (31.9%)	420 (37.1%)	5 (6.8%)	1 (50.0%)	10 (52.6%)
Widowed	462 (11.8%)	403 (15.1%)	56 (4.9%)	-	1 (50.0%)	2 (10.5%)
Divorced	447 (11.4%)	370 (13.8%)	76 (6.7%)	1 (1.3%)	-	-
Not Stated	39 (1.0%)	22 (0.8%)	16 (1.4%)	1 (1.3%)	-	-

TABLE 10: AGE GROUPS

	TOTAL CASES HEARD	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Total	3907 (100%)	2679 (100%)	1133 (100%)	74 (100%)	2 (100%)	19 (100%)
Under 20	278 (7.1%)	64 (2.4%)	156 (13.8%)	58 (78.4%)	—	—
20 – 29	737 (18.9%)	331 (12.3%)	396 (35.0%)	10 (13.5%)	—	—
30 – 49	1335 (34.2%)	958 (35.8%)	373 (32.9%)	-4 (5.4%)	—	—
50 – 69	1436 (36.7%)	1262 (47.1%)	169 (14.9%)	1 (1.4%)	—	4 (21.1%)
70 and Over	77 (2.0%)	48 (1.8%)	12 (1.0%)	—	2 (100%)	15 (78.9%)
Not Stated	44 (1.1%)	16 (0.6%)	27 (2.4%)	1 (1.3%)	—	—

Fiscal Year 1979 - 1980

TABLE 11: NUMBER OF APPEALS AND HEARINGS DURING THE TEN-YEAR PERIOD
1970-71 -- 1979-80

Fiscal Year	Number of Appeals	Number Closed Without Hearing	Number of Hearings	Appeals Pending	Percent Heard
1970-71	878	230	648	-	73.8
1971-72	1,654	324	1,330	-	80.4
1972-73	2,011	220	1,791	-	89.1
1973-74	1,478	175	1,303	-	88.2
1974-75	2,081	313	1,768	-	85.0
1975-76	2,424	386	2,038	-	84.1
1976-77	3,644	695	2,949	-	80.9
1977-78	4,022	823	3,199	-	79.5
1978-79	4,471	907	3,551	13	79.4
1979-80	4,929	944	3,907	91	79.3

See Tables 1 and 12

TABLE 12: PERCENTAGE INCREASE/DECREASE OF APPLICATIONS AND HEARINGS
DURING THE TEN-YEAR PERIOD 1970-71 -- 1979-80

Fiscal Year	Applications for Hearings		Cases Heard	
	Number	Percent Increase (Decrease) Over Previous Year	Number	Percent Increase (Decrease) Over Previous Year
		Over Previous Year		Over Previous Year
1970-71	878	74.2	648	145.5
1971-72	1,654	88.4	1,330	105.2
1972-73	2,011	21.6	1,791	34.8
1973-74	1,478	(26.5)	1,303	(27.2)
1974-75	2,081	40.8	1,768	35.7
1975-76	2,424	16.5	2,038	15.3
1976-77	3,644	50.3	2,949	44.7
1977-78	4,022	10.4	3,199	8.5
1978-79	4,471	11.2	3,551	11.0
1979-80	4,929	10.2	3,907	10.0

See Table 11

TABLE 13: PERCENTAGE OF APPEALS GRANTED AND DENIED
DURING THE TEN-YEAR PERIOD 1970-71 -- 1979-80

Fiscal Year	Total	Appeals Granted	Appeals Denied	Referred Back	No Jurisdiction
1970-71	100%	34.7	65.3	-	-
1971-72	100%	29.9	70.1	-	-
1972-73	100%	29.0	71.0	-	-
1973-74	100%	34.0	66.0	-	-
1974-75	100%	17.1	72.8	10.1	-
1975-76	100%	15.9	76.9	6.6	0.6
1976-77	100%	16.0	80.0	4.0	-
1977-78	100%	17.5	79.9	2.5	0.1
1978-79	100%	19.2	79.0	1.7	0.1
1979-80	100%	13.9	82.5	2.9	0.7

See Table 6

Fiscal Year 1979 - 1980

TABLE 14: PERCENTAGE OF APPEALS HEARD BY PROGRAM
DURING THE TEN-YEAR PERIOD 1970-71 -- 1979-80

Fiscal Year	Total	FBA	GWA	REHAB	GAINS	CO-PAYMENT
1970-71	100%	47.2	50.0	2.8	-	-
1971-72	100%	48.4	49.5	2.1	-	-
1972-73	100%	60.0	39.2	0.8	-	-
1973-74	100%	65.8	33.8	0.4	-	-
1974-75	100%	70.4	28.0	1.0	0.6	-
1975-76	100%	54.3	41.2	4.3	0.2	-
1976-77	100%	61.7	35.4	2.7	0.2	-
1977-78	100%	67.4	30.0	2.5	0.1	-
1978-79	100%	68.3	29.5	2.2	(Less than 0.1%)	-
1979-80	100%	68.6	29.0	1.9	(Less than 0.1%)	0.5

See Table 2

TABLE 15: APPEALS TO THE SUPREME COURT OF ONTARIO*
DURING THE TEN-YEAR PERIOD 1970-71 -- 1979-80

Fiscal Year	Appeals Opened	Appeals Heard	Appeals Withdrawn	Total Closed	Number Pending
1970-71	1	1	-	1	1
1971-72	1	2	-	2	-
1972-73	6	3	3	6	-
1973-74	5	2	1	3	2
1974-75	4	3	1	4	2
1975-76	3	2	-	2	3
1976-77	17	4	1	5	15
1977-78	14	5	9	14	15
1978-79	12	6	8	14	13
1979-80	15	6	10	16	12

* Divisional Court

TABLE 16: TYPE OF REPRESENTATION ON BEHALF OF APPELLANT

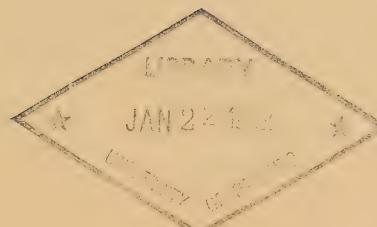
	Appeals Heard	Percent
Legal Clinic	74	1.9
Private Lawyer	173	4.4
Citizens' Group	21	0.6
Friend or Family	867	22.2
Interpreter (usually friend or family)	102	2.6
Member of Provincial Parliament	93	2.4
Other	341	8.7
Appellant Alone	1536	39.3
Hearing Held in Absentia	700	17.9
Total Heard	3907	100%

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Twelfth Annual Report **Social Assistance Review Board**

Fiscal Year 1980 – 1981

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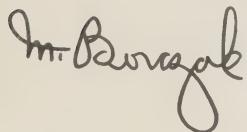
Letter of Transmittal

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The Honourable Frank Drea
Minister of Community and Social Services

Sir:

I am pleased to present the twelfth Annual Report of the Social Assistance Review Board, covering the fiscal year ending March 31, 1981.



M. Borczak
Chairman
Social Assistance Review Board

Board Members

as of March 31, 1981

Chairman

M. Borczak

Vice-Chairmen

Desmond Bender
Norma Brown
Ross Edgar Edwards
Henry J. Price

Members

Evelyn Buck
Norma Dool
Diana Eaton
G. Jean Elliott
Madeleine Filion
Bruce J. Goulet
Alene Holt
Maurice Hotte
Pierrette Lamarche
Gaetano Manuele
F. June Marks
Ronald J.A. McMaster
Donald H. Morrow
George Nixon
Gloria F. O'Connor

Executive Secretary

Frank Mulrooney

Legal Counsel

Harold E. Fulton, Q.C.

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The Social Assistance Review Board has now completed its twelfth year of existence having begun operations on April 1, 1969. The Board's jurisdiction continues over the Family Benefits program, General Welfare Assistance (general assistance, but not special assistance), Vocational Rehabilitation Services, The Ontario Guaranteed Annual Income program and Co-payment for Chronic Care Services under The Health Insurance Act, 1972. Board members are appointed by Order-in-Council for a term of three years and may be reappointed. The purpose of the Board is to provide, on appeal from an applicant or recipient, an objective review of an administrator's decision to deny, suspend, cancel or reduce assistance, or where there is dissatisfaction with the amount of assistance granted.

The Chairman of the Board of Review "may authorize one or more members to conduct a hearing and such member or members has or have all the powers of the Board for the purpose of such hearing and any decision of such member or members shall be a decision of the Board". Usually, two members are appointed to conduct a hearing, although, on occasion, one or three members are appointed.

The powers of the Board are set out in The Family Benefits Act as follows:

Section 12: (10) Where, after a hearing, the Board of Review has reviewed the decision of the Director, the board may,

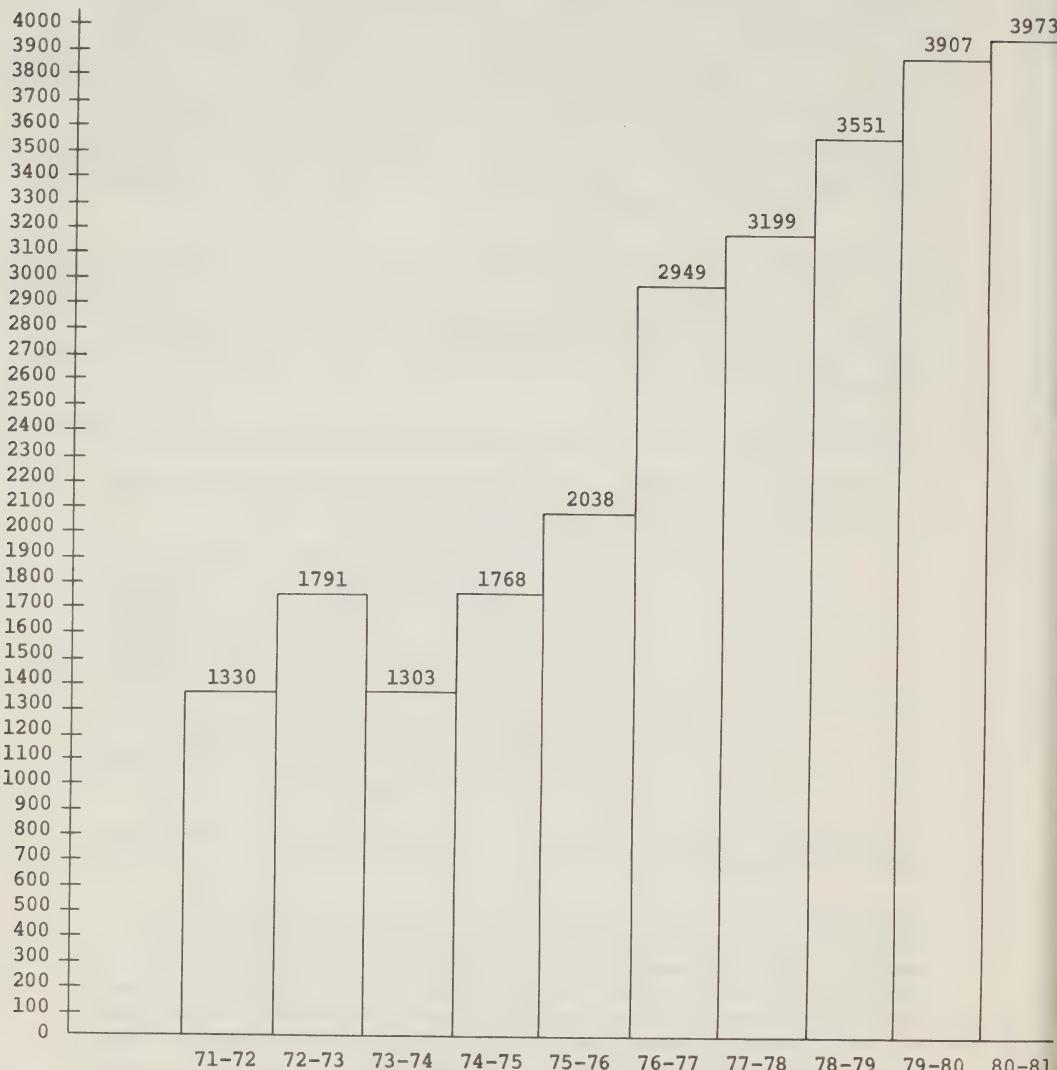
- (a) affirm the decision;
- (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or
- (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the regulations,

and the Director shall give effect to any directions given by the Board under this section.

Hearings are held in the community in which the appellant resides (Table 7), and frequently in the appellant's home. The board held hearings in 517 communities throughout the province during the year. Hearings are held in camera and are conducted in an informal manner. The appellant may at a hearing be represented by counsel, or an agent, call and examine witnesses and present arguments and submissions and may conduct cross-examinations of witnesses so that there may be full and fair disclosure of the facts. The board gives its decision and order, if any, in writing, giving its reasons therefor. Decisions are available to the public, but the names of appellants are deleted to protect their privacy. The board may be requested to reconsider and vary its decision after a hearing, and a further appeal lies to the Divisional Court of the Supreme Court of Ontario on a question that is not a question of fact alone.

During the fiscal year 1980-81, the board received 4,792 applications for a hearing, a decrease of 2.8 percent over 1979-80. Of these, 906 were closed without a hearing but hearings were held in 3,973 cases, an increase of 1.7 percent in the number of hearings over the previous year (Table 12).

Number of Hearings Held During the Ten-year Period 1971-72 - 1980-81



The largest proportion (69.6 percent) of the appeals heard was under the provincially administered Family Benefits Act, up from 68.6 percent of the total heard in 1979-80 (Table 14).

In Table 4, the largest group, (68.3 percent), refused assistance under The Family Benefits Act, was not considered permanently unemployable or disabled within the meaning of the legislation. On the other hand, in the case of General Welfare Assistance, the biggest single group, (64.6 percent), of refusals was for the reason that welfare administrators were not satisfied that applicants for assistance were making reasonable efforts to secure employment and that the continuing unemployment was due to circumstances beyond the control of applicants. Furthermore, 65.7 percent of General Welfare Assistance cases were cancelled or suspended during the year for the same reason (Table 5).

Statistical Tables

Fiscal Year 1980-1981

TABLE 1: NUMBER OF APPEALS

Appeals received	4792	
Brought forward from previous year	91	
Total Appeals	4883	100%

Appeals Heard	3973	81.4
Appeals Closed Without a Hearing	906	18.5
Appeals Pending	4	0.1

TABLE 2: DISPOSITION OF APPEALS HEARD BY PROGRAMS

Total Cases Heard	3973	100%
Family Benefits	2766	69.6
General Welfare Assistance	1092	27.5
Rehabilitation Services	114	2.9
Ontario Guaranteed Annual Income (GAINS)*	-	-
Co-Payment**	1	(Less than 0.1%)

* Administered by Ministry of Revenue

** Chronic Care Services under The Health Insurance Act, 1972

TABLE 3: BASIS FOR APPEALS

	TOTAL	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Total Heard	3973 (100%)	2766 (100%)	1092 (100%)	114 (100%)	-	1 (100%)
Refusal	2452 (61.7)	1672 (60.5)	677 (62.0)	*102 (89.5)	-	1 (100%)
Cancellation or Suspension	718 (18.1)	377 (13.6)	332 (30.4)	9 (7.9)	-	-
Reduction	48 (1.2)	44 (1.6)	4 (0.4)	-	-	-
Amount	755 (19.0)	673 (24.3)	79 (7.2)	3 (2.6)	-	-

* Rehabilitation Services - Refusals

	TOTAL REFUSALS	APPEALS GRANTED	APPEALS DENIED	REFERRED BACK	NO JURISDICTION	TOTAL
Learning Disability	84 (82.4)	37 (44.0)	45 (53.6)	1 (1.2)	1 (1.2)	84 (100%)
All Other	18 (17.6)	2 (11.1)	15 (83.3)	-	1 (5.6)	18 (100%)
Total	102 (100%)	39 (38.2)	60 (58.8)	1 (1.0)	2 (2.0)	102 (100%)

Fiscal Year 1980-1981

TABLE 4: REASONS FOR REFUSAL OF ASSISTANCE

	TOTAL	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Not Considered Disabled (Rehab)	34 (1.4)	- -	- -	34 (33.3)	- -	- -
Not Considered Permanently Unemployable	1141 (46.5)	1141 (68.3)	- -	- -	- -	- -
Sponsored Immigrant	82 (3.3)	62 (3.7)	20 (2.9)	- -	- -	- -
Not Living as a Single Person	40 (1.6)	24 (1.4)	16 (2.4)	- -	- -	- -
Not Making Effort to Obtain Other Support	118 (4.8)	112 (6.7)	6 (0.9)	- -	- -	- -
Not Making Effort to Obtain Employment	437 (17.8)	- -	437 (64.6)	- -	- -	- -
Income in Excess	109 (4.5)	61 (3.7)	47 (6.9)	- -	- -	1 (100.0)
Assets in Excess	84 (3.4)	50 (3.0)	34 (5.0)	- -	- -	- -
Transfer of Property	31 (1.3)	19 (1.1)	12 (1.8)	- -	- -	- -
Not Deserted	2 (0.1)	2 (0.1)	- -	- -	- -	- -
Child Not in Care	4 (0.2)	4 (0.2)	- -	- -	- -	- -
Other	370 (15.1)	197 (11.8)	105 (15.5)	68 (66.7)	- -	- -
Total	2452 (100%)	1672 (100%)	677 (100%)	102 (100%)	- -	- -

TABLE 5: REASONS FOR CANCELLATION OR SUSPENSION OF ASSISTANCE

	TOTAL	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Not Considered Disabled (Rehab)	-	-	-	-	-	-
Not Considered Permanently Unemployable	-	-	-	-	-	-
Sponsored Immigrant	2 (0.3)	2 (0.5)	2 (38.5)	31 (9.3)	-	-
Not Living as a Single Person	176 (24.5)	145 (1.0)	5 (1.3)	2 (0.6)	-	-
Not Making Effort to Obtain Other Support	7 (30.4)	-	-	218 (65.7)	-	-
Not Making Effort to Obtain Employment	218 (13.1)	73 (5.8)	34 (4.0)	21 (6.3)	-	-
Income in Excess	94 (5.8)	42 (3.1)	15 (4.0)	8 (2.4)	-	-
Assets in Excess	42 (3.1)	-	-	-	-	-
Transfer of Property	-	-	-	7 (2.1)	-	-
Not Deserted	14 (1.9)	14 (23.6)	-	-	-	-
Child Not in Care	143 (19.9)	89 (1.9)	45 (3.7)	-	-	-
Other	-	-	-	-	-	-
Total	718 (100%)	377 (100%)	332 (100%)	9 (100%)	-	-

TABLE 6: DISPOSITION OF APPEALS

	TOTAL	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Total Heard	3973 (100%)	2766 (100%)	1092 (100%)	114 (100%)	-	1 (100%)
Appeals Granted	496 (12.5)	381 (13.8)	71 (6.5)	44 (38.6)	-	-
Appeals Denied	3314 (83.4)	2247 (81.2)	1002 (91.8)	65 (57.0)	-	-
Referred Back	122 (3.1)	111 (4.0)	8 (0.7)	2 (1.8)	-	1 (100.0)
No Jurisdiction	41 (1.0)	27 (1.0)	11 (1.0)	3 (2.6)	-	-

Fiscal Year 1980-1981

TABLE 7: GEOGRAPHIC LOCATION OF APPLICANTS

		1980-1981	1979-1980	
	Appeals Heard	Percent	Appeals Heard	Percent
MAJOR CITIES				
Population 100,000 and over*				
Brampton	18	0.4	11	0.3
Burlington	37	0.9	31	0.8
Hamilton	153	3.9	132	3.4
Kitchener	31	0.8	19	0.4
London	126	3.2	121	3.1
Metro Toronto	969	24.4	957	24.5
Mississauga	37	0.9	31	0.8
Oshawa	21	0.5	20	0.5
Ottawa	119	3.0	127	3.3
St. Catharines	55	1.4	64	1.6
Thunder Bay	47	1.2	36	0.9
Windsor	228	5.7	285	7.3
Total	1841	46.3	1834	46.9
OTHER COMMUNITIES				
Total Appeals Heard	2132	53.7	2073	53.1
Total Appeals Heard	3973	100.0	3907	100.0

* Source: Ontario Municipal Directory 1981

Community	Appeals	Community	Appeals	Community	Appeals
Acton	4	Brockville	13	Deseronto	5
Addison	1	Brucefield	2	Dorchester	1
Ahmic Harbour	1	Brussels	1	Dorion	2
Ajax	1	Burnt River	1	Dorset	1
Alban	2	Cache Bay	1	Douglas	1
Alexandria	5	Calabogie	1	Dowling	1
Alfred	3	Callander	5	Dresden	4
Alliston	4	Cambridge	15	Drumbo	1
Almonte	1	Camden East	1	Dryden	2
Alvinston	1	Cameron	1	Dunchurch	2
Ameliasburg	1	Campbellford	9	Dundalk	1
Amherstburg	2	Cannington	1	Dundas	3
Amherstview	5	Capreol	2	Dunnville	4
Angus	2	Cardinal	2	Dunsford	1
Apple Hill	1	Carleton Place	3	Durham	3
Apsley	4	Carlsbad Spring	1	Eganville	2
Arden	2	Cartier	2	Egmondville	1
Arnprior	2	Casselman	5	Eldorado	3
Arnstein	2	Cavan	2	Elgin	2
Arthur	1	Centreville	3	Elmwood	1
Athens	2	Chalk River	2	Elora	3
Atikokan	3	Chapleau	5	Embro	1
Aurora	7	Chatham	49	Emeryville	1
Avonmore	1	Chelmsford	4	Emsdale	1
Aylmer	5	Chesley	1	Englehart	2
Azilda	5	Chesterville	2	Enterprise	1
Bainsville	2	Claremont	1	Erin	1
Baldwin	2	Clarence Creek	2	Erinsville	2
Bankroft	5	Clear Creek	1	Espanola	10
Barrie	12	Clinton	4	Everett	1
Barry's Bay	3	Cobalt	11	Exeter	3
Bath	1	Cobourg	15	Fauquier	1
Baylon	1	Cochrane	10	Fenelon Falls	5
Beachville	1	Coe Hill	1	Fenwick	1
Beamsville	1	Colborne	4	Fergus	2
Beaverton	1	Coldwater	4	Field	5
Beeton	1	Collingwood	6	Fingal	1
Belle River	3	Collins Bay	1	Flinton	1
Belleville	32	Coniston	1	Florence	1
Bethany	1	Connaught	1	Fonthill	2
Bewdley	1	Copper Cliff	2	Fordwich	1
Blenheim	3	Corbeil	1	Fort Erie	5
Blind River	4	Cornwall	45	Fort Frances	1
Bloomfield	1	Corunna	1	Fournier	1
Bognor	1	Cottam	1	Frankford	2
Bonfield	1	Crediton	1	Frankville	1
Bothwell	4	Creighton Mine	1	Gananoque	17
Bourget	2	Crystal Beach	4	Garson	2
Bowmanville	3	Crystal Falls	1	Georgetown	7
Bracebridge	3	Cumberland	1	Geraldton	1
Bradford	4	Curran	2	Glenburnie	1
Brantford	35	Dashwood	1	Glencoe	1
Brechin	3	Deep River	1	Glen Robertson	1
Brigden	1	Delhi	2	Goderich	9
Brighton	4	Delta	1	Godfrey	1
Brinston	2	Demorestville	2	Gogama	1
Britt	3	Denfield	3	Golden Lake	1

Community	Appeals	Community	Appeals	Community	Appeals
Gooderham	2	Kirkfield	4	Moonbeam	1
Goodwood	1	Kirkland Lake	13	Moose Creek	1
Grand Bend	1	Kirkton	1	Moosonee	1
Grand Valley	3	Lakefield	3	Morrisburg	6
Gravenhurst	10	Lake Wilcox	1	Moscow	1
Green Valley	1	Lancaster	1	Mountain	3
Grimsby	3	Langton	1	Mount Brydges	2
Guelph	22	Lansdowne	2	Mount Elgin	1
Hagar	1	Larder Lake	3	Mount Forest	2
Hagersville	4	La Salette	1	Muncey	1
Haileybury	1	Laurel	1	Nanticoke	3
Haley's Station	1	Lavigne	1	Napanee	13
Haliburton	2	Leamington	6	Navan	3
Hallebourg	1	Lee Valley	1	Nepean	5
Hammond	1	Lefevre	1	Neustadt	1
Hampton	1	Lefroy	2	Newboro	2
Hanmer	5	Limoges	5	Newbury	2
Hanover	6	Lindsay	14	New Liskeard	7
Harriston	1	Lisle	1	New Lowell	1
Harrow	5	Listowel	3	Newmarket	11
Harrowsmith	1	Little Britain	2	Niagara Falls	47
Hastings	1	Lively	1	Niagara-on-the-Lake	2
Havelock	5	Long Lac	2	Nipigon	3
Hawkesbury	18	Loretto	3	Nipissing	1
Hay	2	Lucknow	2	Nipissing Junction	1
Hazeldean	1	Lyndhurst	2	Nobelton	1
Hearst	7	Mactier	3	Noelville	5
Heathcote	1	Madoc	2	Nolalu	1
Hensall	2	Magnetawan	1	North Bay	56
Hespeler	1	Manilla	1	Northbrook	2
Highgate	1	Manitouwadge	3	North Lancaster	2
Hillier	1	Manitowaning	1	Norwood	5
Hillsdale	1	Marathon	2	Oakland	2
Huntsville	1	Markham	1	Oak Ridges	3
Huron Park	2	Markstay	3	Oakville	24
Ignace	1	Marlbank	3	Oakwood	1
Indian River	1	Marmora	3	Odessa	4
Ingersoll	5	Martintown	4	Ohsweken	5
Ingleside	1	Marysville	1	Oil City	1
Inverary	1	Massey	5	Omemee	2
Iroquois Falls	3	Mattawa	9	Ompah	1
Jackson's Point	3	Mattice	5	Orangeville	8
Jogues	2	Maxville	1	Orillia	21
Kaladar	3	Maynooth	2	Orleans	1
Kapuskasing	10	McArthur's Mills	1	Owen Sound	20
Kars	1	McKellar	1	Paincourt	1
Keewatin	4	Meaford	3	Palmer Rapids	3
Kemptville	7	Melbourne	1	Parham	1
Kenilworth	1	Merrickville	1	Paris	5
Kenora	4	Midland	12	Parry Sound	5
Keswick	9	Mildmay	1	Pass Lake	1
Killaloe	3	Milford	3	Pefferlaw	1
Kilworthy	2	Milton	2	Pembroke	23
Kincardine	1	Mindemoya	1	Penetanguishene	11
Kingston	73	Minesing	1	Perkinsfield	2
Kingsville	5	Monetville	1	Perth	3
Kippen	1	Monkland	1	Perth Road	2

Community	Appeals	Community	Appeals	Community	Appeals
Petawawa	3	Sharon	1	Val Rita	1
Peterborough	51	Shelburne	2	Val Therese	1
Petrolia	3	Simcoe	8	Vanier	14
Pickering	7	Singhampton	1	Vankleek Hill	6
Picton	4	Smiths Falls	9	Vermilion Bay	1
Plainfield	1	Smithville	2	Verner	3
Plantagenet	1	Smooth Rock Falls	2	Verona	1
Port Colborne	29	Sombra	1	Victoria Harbour	3
Port Dover	4	South Porcupine	1	Vienna	1
Port Elgin	2	South River	4	Vineland	1
Port Hope	4	South Woodslee	1	Virginiatown	1
Port Lambton	2	Spanish	1	Wainfleet	3
Portland	1	Sprucedale	1	Wallace	1
Port McNicoll	2	Stayner	4	Wallaceburg	10
Port Perry	1	Stella	1	Wallacetown	1
Port Severn	2	Stevensville	1	Warkworth	2
Port Stanley	3	Stirling	3	Warren	6
Port Sydney	1	Stittsville	1	Warsaw	1
Powassan	1	Stoney Creek	7	Wasaga Beach	5
Prescott	3	Stoney Point	1	Washago	1
Preston	1	Stouffville	5	Waterford	1
Princeton	1	Stratford	11	Waterloo	7
Rama	1	Strathroy	3	Watford	1
Ramore	3	Stroud	2	Waubashene	1
Reaboro	4	Sturgeon Falls	23	Wawa	1
Redbridge	2	Sudbury	90	Webbwood	2
Red Lake	1	Sultan	1	Welland	56
Renfrew	6	Sunderland	1	Wellesley	1
Richmond Hill	6	Sutton	3	Wendover	2
Rideau Ferry	1	Sutton West	5	West Lorne	1
Ridgetown	1	Sydenham	3	Westmeath	1
Ridgeway	1	Talbotville	1	Westport	3
Rockland	6	Tamworth	2	Wheatley	3
Rockwood	1	Tecumseh	4	Whitby	5
Rodney	2	Teeswater	1	White Fish	1
Roseneath	1	Temagami	2	White River	1
Rutherglen	3	Thamesford	1	Whitney	2
St. Albert	2	Thedford	1	Wiarton	1
St. Andrews	2	Thorndale	2	Wilberforce	1
Ste. Anne de Prescott	1	Thorne	2	Williamsburg	1
St. Bernardin	3	Thornhill	5	Winchester	1
St. Charles	1	Thorold	2	Wingham	1
St. Clair Beach	2	Tilbury	2	Wolfe Island	1
St. Eugene	2	Tillsonburg	3	Woodbridge	1
St. Paschal Baylon	1	Timmins	45	Woodstock	16
St. Thomas	29	Tottenham	1	Woodville	1
Sarnia	23	Trenton	17	Worthington	1
Sault Ste. Marie	28	Trent River	1	Yarker	1
Seagrave	1	Trout Creek	2	Zurich	2
Sebright	1	Tweed	2		
Seeley's Bay	3	Udora	1	Total	2132
Selby	2	Unionville	5		
Severn Bridge	2	Upsala	1		
Shallow Lake	1	Utopia	2		
Shannonville	2	Uxbridge	1		
Sharbot Lake	1	Val Caron	1		
		Val Gagne	1		

TABLE 8: DISTRIBUTION BY SEX

	TOTAL CASES HEARD	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Total	3973 (100%)	2766 (100%)	1092 (100%)	114 (100%)	-	1 (100%)
Male	2126 (53.5)	1241 (44.9)	784 (71.8)	101 (88.6)	-	-
Female	1847 (46.5)	1525 (55.1)	308 (28.2)	13 (11.4)	-	1 (100.0)
				22		

TABLE 9: FAMILY STATUS

	TOTAL CASES HEARD	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Total	3973 (100%)	2766 (100%)	1092 (100%)	114 (100%)	-	1 (100%)
Single	2101 (52.9)	1359 (49.1)	635 (58.2)	107 (93.9)	-	-
Married	932 (23.4)	622 (22.5)	302 (27.7)	7 (6.1)	-	1 (100.0)
Widowed	404 (10.2)	363 (13.1)	41 (3.7)	-	-	-
Divorced	500 (12.6)	409 (14.8)	91 (8.3)	-	-	-
Not Stated	36 (0.9)	13 (0.5)	23 (2.1)	-	-	-

TABLE 10: AGE GROUP

	TOTAL CASES HEARD	FBA	GWA	REHAB	GAINS	CO-PAYMENT
Total	3973 (100%)	2766 (100%)	1092 (100%)	114 (100%)	-	1 (100%)
Under 20	363 (9.1)	116 (4.2)	160 (14.6)	87 (76.3)	-	-
20 - 29	714 (18.0)	334 (12.1)	360 (33.0)	20 (17.6)	-	-
30 - 49	1436 (36.2)	1038 (37.5)	390 (35.7)	7 (6.1)	-	1 (100.0)
50 - 69	1364 (34.3)	1219 (44.1)	145 (13.3)	-	-	-
70 and over	61 (1.5)	50 (1.8)	11 (1.0)	-	-	-
Not Stated	35 (0.9)	9 (0.3)	26 (2.4)	-	-	-

TABLE 11: NUMBER OF APPEALS AND HEARINGS DURING THE TEN-YEAR PERIOD
1971-72 - 1980-81

Fiscal Year	Number of Appeals	Number closed without Hearing	Number of Hearings	Appeals Pending	Percent Heard
1971-72	1,654	324	1,330	-	80.4
1972-73	2,011	220	1,791	-	89.1
1973-74	1,478	175	1,303	-	88.2
1974-75	2,081	313	1,768	-	85.0
1975-76	2,424	386	2,038	-	84.1
1976-77	3,644	695	2,949	-	80.9
1977-78	4,022	823	3,199	-	79.5
1978-79	4,471	907	3,551	13	79.4
1979-80	4,929	944	3,907	91	79.3
1980-81	4,792	906	3,973	4	81.4

See Tables 1 and 12

TABLE 12: PERCENTAGE INCREASE (DECREASE) OF APPLICATIONS AND HEARINGS
DURING THE TEN-YEAR PERIOD 1971-72 - 1980-81

Fiscal Year	Applications for Hearing		Cases Heard	
	Number	Percent Increase (Decrease)	Number	Percent Increase (Decrease)
		Over Previous Year		Over Previous Year
1971-72	1,654	88.4	1,330	105.2
1972-73	2,011	21.6	1,791	34.8
1973-74	1,478	(26.5)	1,303	(27.2)
1974-75	2,081	40.8	1,768	35.7
1975-76	2,424	16.5	2,038	15.3
1976-77	3,644	50.3	2,949	44.7
1977-78	4,022	10.4	3,199	8.5
1978-79	4,471	11.2	3,551	11.0
1979-80	4,929	10.2	3,907	10.0
1980-81	4,792	(2.8)	3,973	1.7

See Table 11

TABLE 13: PERCENTAGE OF APPEALS GRANTED AND DENIED
DURING THE TEN-YEAR PERIOD 1971-72 - 1980-81

Fiscal Year	Total	Appeals Granted	Appeals Denied	Referred Back	No Jurisdiction
1971-72	100%	29.9	70.1	-	-
1972-73	100%	29.0	71.0	-	-
1973-74	100%	34.0	66.0	-	-
1974-75	100%	17.1	72.8	10.1	-
1975-76	100%	15.9	76.9	6.6	0.6
1976-77	100%	16.0	80.0	4.0	-
1977-78	100%	17.5	79.9	2.5	0.1
1978-79	100%	19.2	79.0	1.7	0.1
1979-80	100%	13.9	82.5	2.9	0.7
1980-81	100%	12.5	83.4	3.1	1.0

See Table 6

**TABLE 14: PERCENTAGE OF APPEALS HEARD BY PROGRAM
DURING THE TEN-YEAR PERIOD 1971-72 - 1980-81**

Fiscal Year	Total	FBA	GWA	REHAB	GAINS	CO-PAYMENT
1971-72	100%	48.4	49.5	2.1	-	-
1972-73	100%	60.0	39.2	0.8	-	-
1973-74	100%	65.8	33.8	0.4	-	-
1974-75	100%	70.4	28.0	1.0	0.6	-
1975-76	100%	54.3	41.2	4.3	0.2	-
1976-77	100%	61.7	35.4	2.7	0.2	-
1977-78	100%	67.4	30.0	2.5	0.1	-
1978-79	100%	68.3	29.5	2.2 (less than 0.1%)	-	-
1979-80	100%	68.6	29.0	1.9 (less than 0.1%)	0.5	-
1980-81	100%	69.6	27.5	2.9	- (Less than 0.1%)	-

See Table 2

**TABLE 15: APPEALS TO THE DIVISIONAL COURT OF THE SUPREME COURT OF ONTARIO
DURING THE TEN-YEAR PERIOD 1971-72 - 1980-81**

Fiscal Year	Appeals Opened	Appeals Heard	Appeals Withdrawn	Total Closed	Number Pending
1971-72	1	2	-	2	-
1972-73	6	3	3	6	-
1973-74	5	2	1	3	2
1974-75	4	3	1	4	2
1975-76	3	2	-	2	3
1976-77	17	4	1	5	15
1977-78	14	5	9	14	15
1978-79	12	6	8	14	13
1979-80	17*	6	10	16	14*
1980-81	27	7	4	11	30

* Corrected

TABLE 16: TYPE OF REPRESENTATION ON BEHALF OF APPELLANT

	Appeals Heard	Percent
Legal Clinic	83	2.1
Private Lawyer	209	5.3
Citizen's Group	30	0.8
Friend or Family	903	22.7
Interpreter (usually friend)	61	1.5
Member of Provincial Parliament	78	2.0
Other	289	7.3
Appellant Alone	1611	40.5
Hearings Held in Absentia	709	17.8
Total Heard	3973	100%

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ONTARIO. MINISTRY OF COMMUNITY AND SOCIAL SERVICES

Thirteenth Annual Report **Social Assistance Review Board**

Fiscal Year 1981-1982



Social
Assistance
Review
Board

Ontario

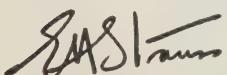


Letter of Transmittal

The Honourable Frank Drea
Minister of Community and Social Services

Sir:

I am pleased to present the 13th Annual Report of the Social Assistance Review Board, covering the fiscal year ending March 31, 1982.



E.F.H. Strauss
Chairman
Social Assistance Review Board

August, 1982

Board Members

as of March 31, 1982

CHAIRMAN

Eugene F. H. Strauss

VICE-CHAIRMEN

Desmond Bender
Norma Brown
Ross Edgar Edwards
Henry J. Price

MEMBERS

Evelyn Buck
Norma Dool
Diana Eaton
G. Jean Elliott
Madeleine Filion
Bruce J. Goulet
Alene Holt
Maurice Hotte
Pierrette Lamarche
Gaetano Manuele
F. June Marks
Ronald J.A. McMaster
William H. Merritt
Donald H. Morrow
George Nixon

EXECUTIVE SECRETARY

Frank Mulrooney

LEGAL COUNSEL

Harold E. Fulton, Q.C.

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The first appointments to the Social Assistance Review Board were made on January 1, 1969 and the Board heard the first appeals in April of that year. Therefore it has now completed thirteen years of operation.

The Board (also referred to as "the Board of Review") continues to operate under the provisions of Sections 11 to 13 of The Ministry of Community & Social Services Act(RSO 1980, c.273 as amended) and the Regulations made under that Act. It also functions in accordance with the provisions for appeal procedures stipulated in The Family Benefits Act (RSO 1980, c.151 sections 13 to 15), The General Welfare Assistance Act (RSO 1980, c.188 s.11) and The Vocational Rehabilitation Services Act (RSO 1980, c.525 s.10) and the relevant Regulations made under these Acts.

Appeals may also be addressed to the Social Assistance Review Board regarding co-payments for chronic care services which are provided for under The Health Insurance Act (RSO 1980, c.197). However, such appeals have been very infrequent. From the fiscal year 1974-75 and to and including part of 1981-82 the Board was empowered to hear appeals under The Ontario Guaranteed Annual Income Act (RSO 1980, c.366). Responsibility was reassigned to the Ministry of Revenue by a legislative amendment which came into effect on November 19, 1981. No cases had been appealed to the Social Assistance Review Board in respect of the GAINS programs since before April 1, 1980.

As a "tribunal" within the meaning of The Statutory Powers Procedure Act (RSO 1980, c.484), the Social Assistance Review Board operates according to the provisions of that Act. For practical reasons a statutory exemption applies to the Board's discretionary authority to order interim assistance which may be paid to an appellant pending the outcome of an appeal before the Board.

It is the function of the Social Assistance Review Board to determine independently on written appeal whether the circumstances of an appellant at the time of a social assistance administrator's decision justified that decision. The Board has no investigative powers and can therefore make a decision based only on the evidence presented for a hearing by the parties to the appeal.

The parties to the appeal are notified of the hearing as required by legislation and are invited to attend and/or to be represented and to make such submissions orally or in writing as they wish. A written submission or report from either party is *prima facie* evidence before the Board.

The parties are alerted to the fact that a hearing may proceed in their absence, but the Board usually agrees to reschedule a hearing if notified in advance of the inability of an appellant or other key participant to attend at the stipulated time. Hearings are held in the locality or vicinity in which the appellant resides and frequently in the appellant's home when circumstances warrant special arrangements.

Each hearing is conducted by one or more members of the Board so authorized by the Chairman of the Board under subsection 11(6) of The Ministry of Community and Social Services Act. Hearings must be held in private (Section 12). They are conducted in an informal manner, subject to certain standard practices designed to ensure fairness and consistency and to promote a clear understanding of the process and procedures by people unfamiliar with them.

The Board renders its decisions and the reasons for such decision in writing. Pursuant to sub-section 14(6) of The Family Benefits Act (and other Acts referring back to that Section) the Board may after a hearing

- "14(6).... (a) affirm the decision;
- (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the director; or
- (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this act and the regulations".

A decision of the Board may be further appealed either by requesting reconsideration by the Board itself or, when it is not a question of fact alone, by appeal to the Divisional Court of the Supreme Court of Ontario.

All appeals including the original request for a hearing by the Social Assistance Review Board must be initiated in the appropriate form within the time limit specified in the relevant legislation.

Members are appointed to the Board by Order-in-Council for 3-year terms and are from various parts of the Province.

Except as required by law and subject to the essential requirements of accountability for the prudent and legal expenditure of public funds, the Social Assistance Review Board operates as an independent and quasi-judicial body but reports to the Legislature through the Minister of Community and Social Services. The Board retains independent legal counsel.

The achievements of the Social Assistance Review Board during the fiscal year 1981-82 are to the credit of its former chairman, Mr. M.Borczak who retired from the Ontario Public Service on February 28, 1982 after 36 years of distinguished public service in the realm of social assistance administration. He served as chairman of this Board during the last nine years of his career and guided the Board into an era of more complex social legislation and increasing community involvement in the operation of public services.

To provide a better basis for year-to-year comparison in the future, the data reported for 1981-82 have all been limited strictly to the transactions which took place between April 1, 1981 and March 31, 1982 both dates inclusive. Previous reports had shown the disposition of appeals received within a fiscal year prior to the publication date of the report. This date was variable occurring usually in the second half of the calendar year and dictated to some degree by the scheduled dates for the debate on the Estimates of the Ministry of Community and Social Services. While the long term objective is comparability independent of the Estimates debate, the change in the reporting basis this year results in some discontinuity in the statistical series. To overcome this partially, the data for the year 1980-81 have been re-compiled and changed for this report. For the earlier years in the 10-year tables the old numbers have been retained and continue to provide an indication of the general trends.

For the second consecutive year 1981-82 saw a small reduction (2.3%) in the number of appeals received: 4,680 compared with 4,792 in 1980-81. The reduction from 1979-80 to 1980-81 was 2.8%.

The number of appeals heard in 1981-82 was down by 10% from those in the previous year and the number of hearing member/days decreased from 3356 in 1980-81 to 3226 in 1981-82 or by just under 4%. The cause of this decline is not known, but an increasing trend by or on behalf of appellants to request adjournment or re-scheduling of hearings has been a contributing factor.

Compliance with the statutory time limits for the issuing of notices of hearing (21 days from date of receipt of appeal) and the dates of notices of decision (40 days from date of Notice of Hearing) remained unsatisfactory. Only 67% of Notices of Hearing were issued within the specified period and 43% of the appellants received a Notice of Decision signed within 61 days of the receipt of the appeal

by the Board. The latter represents a 31% improvement over the position in 1980-81. Nearly 83% of the decisions were signed within 91 days of the date of receiving the appeal, a slight improvement over the previous year. This aspect of the administrative process is a matter of concern and steps have been initiated aimed at making further significant improvements. The Government's decision to enlarge the permissible membership of the Board by 20% to a maximum of 24 members is a major step in that direction.

The percentage distribution between the three main programs of cases heard has remained almost constant with Family Benefits (FBA) representing 70.5% (69.6% in 1980-81), General Welfare Assistance (GWA) 26.7% (27.5%) and Vocational Rehabilitation Services 2.8% (2.9%) respectively. There was again only one appeal under The Health Insurance Act in respect of co-payment.

Although fewer appeals were received and fewer cases heard in each of the three main programs, more appeals were granted and more were referred back for reconsideration although proportionately the shift is not significant in either category. It follows that numerically and on a percentage basis moderately fewer appeals were denied; i.e. 2882 or 78.4% in 1981-82 against 3314 or 83.4% in 1980-81. The number of appellants represented or supported by private lawyers, legal clinics or citizens groups at the hearings also declined from 322 to 277 or from 8.2% to 7.5% of the appeals heard.

There was also a reduction in the number of appeals opened before the Supreme Court of Ontario from 27 to 19. At the beginning of April 1981, 30 cases were pending before the Court. Of the 49 cases which theoretically could have come to trial during the year, 26 remained to be heard as at March 31, 1982. During the year 14 cases were withdrawn and of the remaining 9 cases seven were dismissed and two were allowed.

As the year closed the Social Assistance Review Board was actively investigating a number of administrative and procedural changes which will lead to improved efficiency without any deterioration of the high standards of integrity and impartiality previously achieved.

TABLE 1: NUMBER OF APPEALS

Cases brought forward from 1980-81	572*
Appeals received during the year	<u>4680</u>
Sub-Total	5252
 Cases Closed Without a Hearing	966
Appeals Heard	<u>3678</u>
Cases Carried Forward Into 1982-83	608

*Adjusted From Previously Reported Data

"Cases Pending-4" to Reflect Revised Reporting Basis

TABLE 2: APPEALS HEARD CLASSIFIED BY PROGRAM AND ISSUE

IssueAppealed	FBA			GWA			REHAB			CO-PAYMENT			ALLPROGRAMS		
	#	%	#	#	%	#	#	%	#	#	%	#	#	%	
AssistanceRefused	1775	68.5	620	63.2		90*	86.5		1	100.0		2486		67.6	
AssistanceCancelled/Suspended	283	10.9	245	25.0		9	8.7		-	-		537		14.6	
AmountGranted	484	18.7	98	10.0		5	4.8		-	-		587		16.0	
ReductionofAmount	50	1.9	18	1.8		-	-		-	-		68		1.8	
ProgramTotals	2592	100.0	981	100.0		104	100.0		1	100.0		3678		100.0	
Percentageof"AllPrograms"	70.5		26.7			2.8				(less than 0.1%)		100.0			

*including 54 Learning Disability Cases

TABLE 3: S.A.R.B. DISPOSITION OF APPEALS HEARD CLASSIFIED BY PROGRAM

	FBA			GWA			REHAB			CO-PAYMENT			TOTAL	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Appeal Granted	481	18.5	82	8.4	36	34.6	-	-	-	-	599	16.3		
Appeal Denied	1944	75.0	875	89.2	62	59.6	1	100.0	2882	78.4				
Referred Back	147	5.7	18	1.8	5	4.8	-	-	-	-	170	4.6		
No Jurisdiction	20	0.8	6	0.6	1	1.0	-	-	-	-	27	0.7		
Total Heard	2592	100.0	981	100.0	104	100.0	1	100.0	3678	100.0				

TABLE 4: APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATORS' DECISIONS
AND DISPOSITION BY S.A.R.B.

PROGRAM & ADMINISTRATORS' REASONS	GRANTED		DENIED		REFERRED BACK		NO JURISDICTION		TOTAL HEARD		
	#	%	#	%	#	%	#	%	#	%	
FBA											
Not Disabled although P.U.	28	4.7	203	7.1	7	4.1	1	3.7	239	6.5	
Not P.U.	338	56.4	904	31.4	39	23.0	3	11.2	1284	34.9	
Sponsor Responsible	1	0.2	54	1.9	3	1.8	1	3.7	59	1.6	
Not Living as Single Person	16	2.7	119	4.1	4	2.4	1	3.7	140	3.8	
Not Seeking Support	21	3.5	97	3.4	9	5.3	1	3.7	128	3.5	
Income in Excess of Budget	7	1.2	100	3.5	4	2.3	1	3.7	112	3.1	
Liquid Assets	5	0.8	47	1.6	8	4.7	1	3.7	61	1.7	
Real Property	6	1.0	36	1.2	10	5.9	1	3.7	53	1.4	
Child not in Care	7	1.2	34	1.2	2	1.2	-	-	43	1.2	
Overpayment Recovery etc.	5	0.8	36	1.2	8	4.7	-	-	49	1.3	
Adjusted for Income, etc.	16	2.7	193	6.7	33	19.4	4	14.8	246	6.7	
Information not Provided	10	1.6	66	2.3	14	8.2	2	7.4	92	2.5	
Other	21	3.5	55	1.9	6	3.5	4	14.8	86	2.3	
FBA TOTALS		481	80.3	1944	67.5	147	86.5	20	74.1	2592	70.5

Continued

TABLE 4: APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATORS' DECISIONS
Cont'd AND DISPOSITION BY S.A.R.B.

PROGRAM & ADMINISTRATORS' REASONS	GRANTED			DENIED			REFERRED BACK			NO JURISDICTION			TOTAL HEARD		
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#
<u>GWA</u>															
Sponsor Responsible	1	0.2	25	0.9	-	-	-	-	1	0.6	-	-	26	0.7	
Not Living as Single Person	7	1.1	48	1.7	1	0.6	-	-	1	3.7	57	1.6	57	1.6	
Not Seeking Support	-	-	6	0.2	-	-	-	-	-	-	6	0.2	6	0.2	
Employment Issued	35	5.8	505	17.5	4	2.3	2	7.4	-	-	546	14.8	546	14.8	
Income in Excess of Budget	5	0.8	66	2.3	1	0.6	1	3.7	1	3.7	73	2.0	73	2.0	
Liquid Assets	1	0.2	22	0.8	-	-	-	-	-	-	23	0.6	23	0.6	
Real Property	1	0.2	13	0.4	2	1.2	-	-	-	-	16	0.4	16	0.4	
Child not in Care	-	-	6	0.2	-	-	-	-	-	-	6	0.2	6	0.2	
Overpayment Recovery, etc.	1	0.2	16	0.5	2	1.2	-	-	-	-	19	0.5	19	0.5	
Adjusted for Income, etc.	15	2.5	77	2.7	6	3.5	-	-	-	-	98	2.7	98	2.7	
Has Access to Parental Home	6	1.0	37	1.3	-	-	-	-	-	-	43	1.2	43	1.2	
Information not Provided	1	0.2	29	1.0	1	0.6	-	-	-	-	31	0.8	31	0.8	
Other	9	1.5	25	0.9	1	0.6	2	7.4	2	7.4	37	1.0	37	1.0	
GWA TOTALS	82	13.7	875	30.4	18	10.6	6	22.2	981	26.7					

Continued

TABLE 4: APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATORS' DECISIONS
Cont'd AND DISPOSITION BY S.A.R.B.

PROGRAM & ADMINISTRATORS' REASONS	GRANTED			DENIED			REFERRED BACK			NO JURISDICTION			TOTAL HEARD		
	#	%	#	#	%	#	#	%	#	#	%	#	#	%	#
<u>Voc. Rehabilitation</u>															
Learning Disability:															
Not Disabled	7	1.2	13	0.5	-	-	-	-	-	-	-	20	0.5		
Facility Available	14	2.3	12	0.4	1	0.6	-	-	-	-	-	27	0.7		
No Progress	3	0.5	10	0.3	1	0.6	-	-	-	-	-	14	0.4		
Amount of Assistance	1	0.2	1	*	1	0.6	-	-	-	-	-	3	0.1		
Total Learning Dis. Cases	25	4.2	36	1.2	3	1.8	-	-	-	-	-	64	1.7		
Total Other Rehab. Cases	11	1.8	26	0.9	2	1.1	1	3.7	40	1.1	40	1.1			
All Voc. Rehab. Totals	36	6.0	62	2.1	5	2.9	1	3.7	104	2.8					
Co-Payment Total	-	-	1	*	-	-	-	-	-	-	-	1	1	*	
All Programs	599	100.0	2882	100.0	170	100.0	27	100.0	3678	100.0					

* less than 0.1

TABLE 5: TYPE OF REPRESENTATION ON BEHALF OF APPELLANT

	<u># Cases</u>	<u>%</u>
Appellant Alone	1313	35.7
Friend or Family	978	26.6
Hearing held in Absentia	689	18.7
Other	322	8.8
Private Lawyer	158	4.3
Legal Clinic	89	2.4
Interpreter (usually friend or family)	52	1.4
Member of Provincial Parliament	47	1.3
Citizen's Group	<u>30</u>	<u>0.8</u>
Total Heard	3678	100%

TABLE 6: DISTRIBUTION BY SEX

	FBA			GWA			REHAB			CO-PAYMENT			ALL PROGRAMS		
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Male	1249	48.2	709	72.3	80	76.9	1	100.0	2038	55.4					
Female	1343	51.8	272	27.7	24	23.1	-	-	1640	44.6					
Total	2592	100.0	981	100.0	104	100.0	1	100.0	3678	100.0					

TABLE 7: DISTRIBUTION BY FAMILY STATUS

	FBA			GWA			REHAB		CO-PAYMENT	ALL PROGRAMS
	#	%	#	%	#	%	#	%	#	%
Single	1264	48.8	536	54.6	92	88.5	1	100.0	1892	51.4
Married	644	24.9	307	31.3	7	6.7	-	-	958	26.1
Widowed	294	11.3	31	3.2	1	1.0	-	-	327	8.9
Divorced	369	14.2	74	7.5	2	1.9	-	-	445	12.1
Status not known	21	0.8	33	3.4	2	1.9	-	-	56	1.5
Total	2592	100.0	981	100.0	104	100.0	1	100.0	3678	100.0

TABLE 8: DISTRIBUTION OF APPELLANTS BY AGE GROUP

	FBA		GWA		REHAB		CO-PAYMENT	
	#	%	#	%	#	%	#	%
Under 20	105	4.1	152	15.5	66	63.5	1	100.0
20-29	327	12.6	334	34.1	22	21.1	—	—
30-49	964	37.2	300	30.6	11	10.6	—	—
50-69	1132	43.7	131	13.3	3	2.9	—	—
70 and over	42	1.6	14	1.4	—	—	—	—
Age not stated	22	0.8	50	5.1	2	1.9	—	—
Total	2592	100.0	981	100.0	104	100.0	1	100.0
							3678	100.0

TABLE 9: GEOGRAPHIC LOCATION OF APPELLANTS1980-19811981-1982

	Appeals Heard	Percent	Appeals Heard	Percent
MAJOR CITIES				
Population 100,000 AND OVER*				
Brampton	8	0.2	18	0.4
Burlington	26	0.7	37	0.9
Hamilton	145	3.9	153	3.9
Kitchener	32	0.9	31	0.8
London	115	3.1	126	3.2
Metro Toronto	830	22.6	969	24.4
Mississauga	32	0.9	37	0.9
Oshawa	25	0.7	21	0.5
Ottawa	119	3.2	119	3.0
St. Catharines	75	2.0	55	1.4
Thunder Bay	37	1.0	47	1.2
Windsor	142	3.9	228	5.7
Total Major Cities	1586	43.1	1841	46.3
TOTAL OTHER COMMUNITIES#	2092	56.9	2132	53.7
Total Appeals Heard	3678	100.0	3973	100.0

Community	Appeals	Community	Appeals
Acton	9	Bailieboro	1
Ailsa Craig	1	Bainsville	2
Ajax	1	Baltimore	1
Alexandria	8	Bancroft	7
Alliston	2	Barrie	11
Almonte	1	Barry's Bay	6
Amherstburg	1	Bath	3
Amherstview	1	Beachville	1
Angus	3	Beamsville	2
Apsley	3	Beeton	1
Arden	2	Belleville	31
Arnprior	10	Belle Ewart	1
Arthur	2	Belmont	1
Ashton	4	Berkeley	1
Athens	2	Berwick	1
Atikokan	5	Bewdley	1
Atwood	1	Blackstone	1
Aurora	3	Blenheim	4
Aylmer	4	Blind River	1
Azilda	5	Bobcaygeon	3

Community	Appeals	Community	Appeals
Bothwell	2	Cannington	2
Bowmanville	3	Capreol	1
Bracebridge	3	Cardinal	3
Bradford	1	Cargill	1
Braeside	1	Carlisle	1
Brantford	42	Carrying Place	1
Brechin	2	Cartier	3
Bridgenorth	1	Casselman	2
Bright	2	Cavan	2
Brighton	5	Cayuga	2
Brinston	2	Centreville	1
Britt	3	Chalk River	4
Brockville	19	Chapleau	3
Brownsville	1	Chatsworth	1
Burford	2	Chatham	39
Burks Falls	3	Chelmsford	5
Burnstown	1	Chesley	2
Byng Inlet	2	Chesterville	2
Cache Bay	2	Chute-A-Blondeau	1
Calabogie	1	Clarksburg	2
Caledonia	2	Clinton	5
Callander	1	Cloyne	1
Cambridge	24	Cobalt	1
Cameron	2	Cobourg	13
Camlachie	1	Cochrane	16
Campbellcroft	2	Coe Hill	1
Campbellford	6	Colborne	5
Campbellville	1	Coldwater	5

Community	Appeals	Community	Appeals
Collins Bay	1	Dunsford	1
Collingwood	12	Dunvegan	1
Comber	1	Durham	2
Combermere	1	Eagle Lake	1
Cookstown	1	Earlton	1
Copper Cliff	6	Eganville	13
Corbeil	3	Eldorado	3
Cornwall	52	Elk Lake	1
Crediton	1	Elora	1
Crofton	1	Embro	1
Crystal Beach	5	Embrun	2
Curran	1	Englehart	1
Dalkeith	1	Ennismore	1
Deep River	2	Enterprise	1
Delhi	2	Erin	1
Delta	1	Erinsville	2
Denbigh	3	Espanola	10
Denfield	1	Essex	1
Deseronto	4	Ethel	1
Douglas	1	Exeter	4
Dorchester	1	Fauquier	2
Dresden	3	Fenelon Falls	4
Drumbo	1	Fergus	1
Dryden	1	Field	3
Duart	1	Flesherton	1
Dublin	1	Flinton	1
Dundas	3	Foresters Falls	1
Dunnville	7	Formosa	1

Community	Appeals	Community	Appeals
Fort Erie	9	Hagar	2
Fournier	4	Hagersville	7
Foxboro	1	Haileybury	1
Foymount	1	Haliburton	7
Frankford	1	Halton Hills	1
Galt	1	Hammond	1
Gananoque	3	Hanmer	3
Garson	1	Hanover	3
Geraldton	1	Harriston	3
Georgetown	3	Harrow	6
Glanworth	1	Harrowsmith	1
Glenburnie	1	Hastings	2
Glencairn	1	Havelock	10
Glencoe	2	Hawkesbury	13
Glen Robertson	2	Hay	1
Goderich	13	Hearst	8
Godfrey	1	Hensall	3
Golden Lake	5	Hickson	1
Gooderham	2	Highland Grove	2
Gormley	1	Holland Centre	1
Gowganda	1	Holstein	1
Grande Pointe	1	Holtyre	1
Grand Valley	1	Holyrood	2
Granton	2	Huntsville	3
Gravenhurst	8	Hurkett	1
Green Valley	3	Huron Park	3
Grimsby	7	Ignace	2
Guelph	24	Ingersoll	3

Community	Appeals	Community	Appeals
Iroquois	2	Leamington	4
Iroquois Falls	9	Lefaivre	1
Island Grove	1	Limoges	1
Jacksons Point	3	Lindsay	21
Jarvis	1	Linwood	1
Jordan Station	1	Lisle	2
Kakabeka	1	Listowel	5
Kaladar	2	Little Britain	2
Kapuskasing	11	Little Current	6
Kemptville	1	Lively	2
Kenora	1	Longlac	2
Keswick	3	Long Sault	1
Killaloe	4	Loretto	2
Kilworthy	3	L'Orignal	2
Kiosk	1	Lucknow	1
Kincardine	1	Lunenberg	1
King City	1	Lyndhurst	1
Kingston	63	Macdiarmid	1
Kingsville	6	Mactier	2
Kirkfield	3	Madoc	3
Kirkland Lake	15	Magnetawan	1
Lakefield	6	Mallorytown	1
Lambeth	1	Manotick	1
Lanark	2	Manitowaning	4
Lancaster	3	Maple Leaf	1
Langton	4	Marathon	1
Larder Lake	4	Markdale	1
Lasalle	1	Markham	2
Latchford	1	Markstay	1

Community	Appeals	Community	Appeals
Marlbank	1	Morrisburg	5
Marmora	1	Mountain	2
Martintown	2	Mount Albert	1
Marysville	1	Mount Forest	1
Mattawa	6	Mount Hope	1
Mattice	4	Napanee	17
Maxville	2	Naughton	1
Maynooth	1	Nepean	7
McGregor	2	Newburgh	1
McKerrow	1	New Hamburg	2
Meaford	6	Newington	2
Melbourne	2	New Liskeard	5
Merrickville	4	New Lowell	1
Midland	5	Newmarket	15
Mildmay	1	Neustadt	1
Milford	1	Niagara Falls	35
Millbrook	2	Nipigon	1
Milliken	2	Nipissing	1
Milton	5	Noelville	3
Milverton	1	Nolalu	2
Minesing	2	Norland	1
Minden	2	North Augusta	1
Mindemoya	1	North Bay	28
Missanabie	1	Northbrook	1
Mitchell	2	North Lancaster	1
Mobert	1	Norwood	1
Monetville	1	Novar	1
Monkton	1	Oakland	1
Moonbeam	2	Oak Ridges	1

Community	Appeals	Community	Appeals
Oakville	18	Plattsburgh	1
Oakwood	1	Point Edward	2
Ohsweken	2	Port Colborne	15
Omemee	4	Port Dover	9
Orangeville	7	Port Hope	6
Orillia	16	Port McNicoll	7
Orton	1	Port Perry	3
Owen Sound	18	Port Rowan	1
Paincourt	1	Port Stanley	1
Palermo	1	Port Sydney	2
Palmer Rapids	3	Prescott	6
Palmerston	1	Ramore	2
Parham	3	Reaboro	3
Paris	3	Red Lake	1
Parkhill	3	Renfrew	11
Parry Sound	4	Riceville	1
Pefferlaw	1	Richmond	1
Pembroke	20	Richmond Hill	5
Penetanguishene	9	Ridgetown	1
Perth	4	Ridgeway	1
Perth Road	1	Ripley	1
Petawawa	3	River Valley	1
Peterborough	48	Roblin	2
Petrolia	1	Rockland	5
Pickering	5	Rockwood	1
Picton	11	Rodney	6
Plainfield	1	Rosemont	1
Plantagenet	3	Roseneath	2

Community	Appeals	Community	Appeals
Rossport	1	South Mountain	1
Rostock	1	South River	3
Round Lake Centre	3	Spanish	2
Russell	1	Spencerville	4
Rutherglen	2	Springfield	1
St. Albert	4	Sprucedale	2
St. Andrews West	2	Stayner	3
St. Bernardin	3	Streetsville	1
St. Charles	4	Sterling	2
St. Isidore	1	Stevensville	1
St. Marys	3	Stittsville	1
St. Thomas	28	Stoney Creek	5
Sault Ste. Marie	28	Stouffville	7
Sarnia	38	Stratford	21
Schumacher	3	Stratfordville	1
Scotland	2	Strathroy	2
Seaforth	2	Stroud	1
Sebright	2	Sturgeon Falls	15
Sebringville	1	Sudbury	95
Shannonville	2	Summerstown	2
Shakespeare	1	Sundridge	1
Sharon	2	Sutton	3
Shedden	1	Sutton West	4
Shelburne	3	Tara	1
Simcoe	8	Tecumseh	1
Smiths Falls	11	Teeswater	2
Smooth Rock Falls	3	Terrace Bay	1
Southampton	1	Thamesville	1

Community	Appeals	Community	Appeals
Thorne	1	Wallaceburg	3
Thornhill	6	Wallacetown	2
Thorold	9	Wardsville	1
Tillsonburg	4	Warmington	1
Timmins	35	Warren	6
Tiverton	2	Warsaw	2
Toledo	1	Wasaga Beach	1
Torrance	1	Waterford	3
Trenton	11	Waterloo	5
Tweed	2	Waubaushene	4
Union	1	Wawa	2
Utterson	1	Webbwood	1
Uxbridge	4	Welland	48
Val Caron	1	Wellandport	3
Val Gagne	1	Wendover	1
Val Rita	2	West Lorne	1
Vanier	12	Westmeath	2
Vankleek Hill	7	Westport	1
Vermilion Bay	2	Wheatley	2
Verner	6	Whitby	1
Vickers Heights	1	Wiarton	1
Victoria Harbour	3	Winona	1
Vienna	1	Williamsford	1
Villeneuve	1	Willow Beach	1
Virgil	1	Winchester	2
Wainfleet	1	Wingham	2
Walkerton	2	Wilsonville	1

Community	Appeals	Community	Appeals
Woodbridge	2		
Woodstock	16		
Worthington	1		
Wyebridge	1		
Yarker	1		
York	1		
		2092	

TABLE 10: NUMBER OF APPEALS RECEIVED AND HEARINGS HELD
DURING THE TEN-YEAR PERIOD 1972-73 - 1981-82

FISCAL YEAR	NUMBER OF APPEALS RECEIVED	NUMBER CLOSED WITHOUT HEARING	NUMBER OF HEARINGS	APPEALS PENDING AT YEARS END	PERCENT HEARD
COMPARABLE DATA NOT AVAILABLE					
1972-73	2,011	220	1,791		89.1
1973-74	1,478	175	1,303		88.2
1974-75	2,081	313	1,768		85.0
1975-76	2,424	386	2,038		84.1
1976-77	3,644	695	2,949		80.9
1977-78	4,022	823	3,199		79.5
1978-79	4,471	907	3,551		79.4
1979-80	4,929	944	3,815*		77.4*
1980-81	4,792	906	4,098*	572*	85.5*
1981-82	4,680	966	3,678	608	78.6

* Changed from previously published data
to reflect revised reporting basis

Earlier data (unchanged) now provides
trend indicators only

TABLE 11: PERCENTAGE INCREASE (DECREASE) OF APPLICATIONS
AND HEARINGS DURING THE TEN-YEAR PERIOD 1972-73 - 1981-82

<u>FISCAL YEAR</u>	<u>NUMBER</u>	<u>APPLICATIONS FOR HEARINGS</u>		<u>CASES HEARD</u>
		<u>PERCENT INCREASE (DECREASE) OVER PREVIOUS YEAR</u>	<u>PERCENT INCREASE (DECREASE) OVER PREVIOUS YEAR</u>	
1972-73	2,011	21.6	1,791	34.8
1973-74	1,478	(26.5)	1,303	(27.2)
1974-75	2,081	40.8	1,768	35.7
1975-76	2,424	16.5	2,038	15.3
1976-77	3,644	50.3	2,949	44.7
1977-78	4,022	10.4	3,199	8.5
1978-79	4,471	11.2	3,551	11.0
1979-80	4,929	10.2	3815*	N/A
1980-81	4,792	(2.8)	4098*	2.4*
1981-82	4,680	(2.3)	3678	(10.2)

* Changed from previously published data
to reflect revised reporting basis

Earlier data (unchanged) now
provides trend indicators only

**TABLE 12: PERCENTAGE OF APPEALS GRANTED AND DENIED
DURING THE TEN-YEAR PERIOD 1972-73 - 1981-82**

FISCAL YEAR	TOTAL	APPEALS GRANTED	APPEALS DENIED	REFERRED BACK	NO JURISD.
1972-73	100%	29.0	71.0	-	-
1973-74	100%	34.0	66.0	-	-
1974-75	100%	17.1	72.8	10.1	-
1975-76	100%	15.9	76.9	6.6	0.6
1976-77	100%	16.0	80.0	4.0	-
1977-78	100%	17.5	79.9	2.5	0.1
1978-79	100%	19.2	79.0	1.7	0.1
1979-80	100%	13.9	82.5	2.9	0.7
1980-81	100%	12.5	83.4	3.1	1.0
1981-82	100%	16.3	78.4	4.6	0.7

**TABLE 13: PERCENTAGE OF APPEALS HEARD BY PROGRAM
DURING THE TEN-YEAR PERIOD 1972-73 - 1981-82**

FISCAL YEAR	TOTAL	FBA	GWA	REHAB.	GAINS	CO-PAYMENT
1972-73	100%	60.0	39.2	0.8	-	-
1973-74	100%	65.8	33.8	0.4	-	-
1974-75	100%	70.4	28.0	1.0	0.6	-
1975-76	100%	54.3	41.2	4.3	0.2	-
1976-77	100%	61.7	35.4	2.7	0.2	-
1977-78	100%	67.4	30.0	2.5	0.1	-
1978-79	100%	68.3	29.5	2.2	*	-
1979-80	100%	68.6	29.0	1.9	*	0.5
1980-81	100%	69.6	27.5	2.9	-	*
1981-82	100%	70.5	26.7	2.8	-	*

* Less than 0.1%

TABLE 14: APPEALS TO THE DIVISIONAL COURT OF THE SUPREME COURT
OF ONTARIO DURING THE TEN-YEAR PERIOD 1972-73 - 1981-82

FISCAL YEAR	APPEALS OPENED	APPEALS HEARD	APPEALS WITHDRAWN	TOTAL CLOSED	NUMBER PENDING
1972-73	6	3	3	6	-
1973-74	5	2	1	3	2
1974-75	4	3	1	4	2
1975-76	3	2	-	2	3
1976-77	17	4	1	5	15
1977-78	14	5	9	14	15
1978-79	12	6	8	14	13
1979-80	17	6	10	16	14
1980-81	27	7	4	11	30
1981-82	19	9	14	23	26



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Fourteenth Annual Report **Social Assistance Review Board**

Fiscal Year 1982-1983

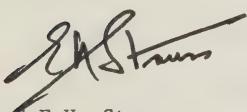


Letter of Transmittal

The Honourable Frank Drea
Minister of Community and Social Services

Sir:

I am pleased to present the 14th Annual Report of the Social Assistance Review Board, covering the fiscal year ending March 31, 1983.



E.F.H. Strauss
Chairman
Social Assistance Review Board

September, 1983

Board Members
as of March 31, 1983

CHAIRMAN

Eugene F. H. Strauss

VICE-CHAIRMEN

Desmond Bender
Norma Brown
Ross Edgar Edwards
Henry J. Price

MEMBERS

Peter J. Boluk
P. Edgar Buchan
Evelyn Buck
Diana Eaton
G. Jean Elliott
Madeleine Filion
M. Albertina Gabriel
Bruce J. Goulet
Alene Holt
Maurice Hotte
Pierrette Lamarche
Gaetano Manuele
Ronald J. A. McMaster
William H. Merritt
Donald H. Morrow
Ethel Myers
George Nixon
Audrey Voice

EXECUTIVE SECRETARY

Frank Mulrooney

LEGAL COUNSEL

Harold E. Fulton, Q.C.

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Introduction & Background

The first appointments to the Social Assistance Review Board were made on January 1, 1969 and the Board heard the first appeals in April of that year. Therefore it has now completed fourteen years of operation.

The Board (also referred to as "the Board of Review") continues to operate under the provisions of Sections 11 to 13 of The Ministry of Community and Social Services Act (R.S.O. 1980, c. 273 as amended) and the Regulations made under that Act. It also functions in accordance with the provisions for appeal procedures stipulated in The Family Benefits Act (R.S.O. 1980, c. 151 sections 13 to 15), The General Welfare Assistance Act, (R.S.O. 1980, c. 188 s. 11) and The Vocational Rehabilitation Services Act (R.S.O. 1980, c. 525 s. 10) and the relevant Regulations made under these Acts.

Appeals may also be addressed to the Social Assistance Review Board regarding co-payments for chronic care services which are provided for under The Health Insurance Act (R.S.O. 1980, c. 197). However such appeals have been very infrequent.

As a "tribunal" within the meaning of The Statutory Powers Procedure Act (R.S.O. 1980, c. 484), the Social Assistance Review Board operates according to the provisions of that Act. For practical reasons a statutory exemption applies to the Board's discretionary authority to order interim assistance which may be paid to an appellant pending the outcome of an appeal before the Board.

It is the function of the Social Assistance Review Board to determine independently on written appeal whether the circumstances of an appellant at the time of a social assistance administrator's decision justified that decision. The Board has no investigative powers and can therefore make a decision based only on the evidence presented for a hearing by the parties to the appeal.

The parties to the appeal are notified of the hearing as required by legislation and are invited to attend and/or to be represented and to make submissions orally or in writing. A written submission or report from either party is *prima facie* evidence before the Board.

The parties are alerted to the fact that a hearing may proceed in their absence, but the Board usually agrees to reschedule a hearing if notified in advance of the inability of an appellant or other key participant to attend at the stipulated time. Hearings are held in the locality or vicinity in which the appellant resides and frequently in the appellant's home when circumstances warrant special arrangements.

Each hearing is conducted by one or more members of the Board so authorized by the Chairman of the Board under subsection 11(6) of The Ministry of Community and Social Services Act. Hearings must be held in private (Section 12). They are conducted in an informal manner, subject to certain standard practices designed to ensure fairness and consistency and to promote a clear understanding of the process and procedures by people unfamiliar with them.

The Board renders its decisions and the reasons for such decision in writing. Pursuant to sub-section 14.(6) of The Family Benefits Act (and other Acts referring back to that Section) the Board may after a hearing

- "14.(6) ... (a) affirm the decision;
- (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the director; or
- (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this act and the regulations".

A decision of the Board may be further appealed either by requesting reconsideration by the Board itself or, when it is not a question of fact alone, by appeal to the Divisional Court of the Supreme Court of Ontario.

All appeals including the original request for a hearing by the Social Assistance Review Board must be initiated in the appropriate form within the time limit specified in the relevant legislation.

Members are appointed to the Board by Order-in-Council for 3-year terms and are from various parts of the Province.

Except as required by law and subject to the essential requirements of accountability for the prudent and legal expenditure of public funds, the Social Assistance Review Board operates as an independent and quasi-judicial body but reports to the Legislature through the Minister of Community and Social Services. The Board retains independent legal counsel.

Chairman's Comments

It was to be expected that the economic strains of the past year would be reflected in an increased number of Requests for Hearing submitted to the Social Assistance Review Board. Only during the year 1979-80 had the Board received more requests (4929 against 4920) but a larger volume carried over from 1981-82 made 1982-83 the highest activity year to date.

All of the 5.1% year-to-year increase in the number of Requests received, occurred after October 1982 so that the resources of the Board were placed under particular pressure during the last half of the fiscal year. Year-to-year 14.7% more Hearings were held, again mostly during the second half of the year.

The number of Hearings held in respect of decisions made under The Family Benefits Act dropped in absolute as well as in relative terms. There were 226 fewer hearings under this program in 1982-83 than during the previous year, whilst 753 more cases were heard under The General Welfare Assistance (GWA) Act. The GWA cases represented 41.1% of the total number of Hearings, up from 26.7% in the previous year.

The 119 Hearings under The Vocational Rehabilitation Services Act again represented only 2.8% of all cases. There were no appeals under The Health Insurance Act in respect of co-payment issues.

As in the past "refusal" of assistance was the issue most frequently appealed in all programs and, except under The Vocational Rehabilitation Services Act, represented a slightly higher percentage of the total.

The proportion of "appeals granted" remained at about the same level as in the preceding year, 16.5% compared with 16.3%, but "appeals denied" dropped slightly (from 78.4% to 75.5%) as did the number of cases referred back to the administrator for a new decision. The number of cases in which the Board could not act because the matter was not within its jurisdiction increased from 27 in 1981-82 to 78 in 1982-83.

It will be noted that Tables 3, 4 and 12 in the statistical section of this report show "considered closed" as a new disposition category. In 1982-83 this accounted for 164 cases or 3.9% of all Hearings. They pertain to a variety of situations in which the matter was or appeared to be resolved but the appeal had not been formally withdrawn. Alternatively, the written submissions were unclear and neither of the parties was present to clarify the issue and it would have been inappropriate for the Board to make a decision or order. In such cases it has been the practice of the Board to inform the parties that in the light of available information, it considers the case closed. Usually no response is received and no further action is taken. For earlier annual reports such cases were either counted as "Withdrawn prior to Hearing" or reported as "Decision Affirmed" pending on the circumstances. The new method of reporting such cases is believed to be more appropriate.

A number of changes were made in the Board's administrative procedures during the year. Notices of Decision generally have become more comprehensive and the format has been standardized to maximize the advantages obtainable from the utilization of word processing equipment. While improving efficiency in the long run, the delivery and installation of the equipment and the inevitable "learning curve" coincided with the peak work load during the latter part of the year. This resulted in regrettable delays in the production and delivery of Notices of Decision.

Taking the year as a whole, there was a slight improvement in the percentage of cases in which the first Notice of Hearing was issued within the stipulated 21 days from the date of receipt of a Request for Hearing (from 67% in 1981-82 to 69% in 1982-83). On the other hand the interval between the final Notice of Hearing and the delivery of the Notice of Decision exceeded the statutory limit of 40 days in 82% of the cases. It should be noted that approximately three weeks' notice of the date of the Hearing is considered reasonable by most administrators, legal representatives and appellants. Therefore more than half that stipulated interval is accounted for by the period of notice.

Legal representation for the appellant increased from 6.7% of cases in 1981-82 to 8.8% in the year covered by this report.

An increasing number of Hearings are rescheduled or adjourned at the request of one of the parties, most frequently by the appellant or a legal representative of the appellant. In 1982-83 this applied to approximately 360 cases or more than 8% of the cases heard. Because of multiple adjournments in some instances, the 360 cases involved about 460 rescheduling cycles, including cancellation notices, rebooking of facilities and issuing of new Notice of Hearing, equal to an 11% increase in the pre-Hearing case load. This is not included in the statistical tables.

Every request for rescheduling is granted, if made for apparently bona fide reasons. This applies even when the members receive such request after having travelled to the designated place of Hearing. It is appropriate however to proceed with a Hearing in absentia in accordance with Section 7 of the Statutory Powers Procedure Act when no request for deferment is received.

The proportion of cases heard in absentia increased from 18.7% to 22.6%. This percentage represents 954 cases in 1982-83 and is of some concern for two reasons: First, almost invariably the appeal is lost because the documented evidence submitted by the appellant (Request for Hearing plus attachments, if any) tends to be inadequate to meet the *prima facie* case as submitted by the respondent. Secondly, avoidable costs are incurred and other Hearings are delayed because the Members travel to a location unnecessarily. A timely letter or phone call cancelling the Request for Hearing would under these circumstances be in the public interest.

As Table 14 of the statistical section of this report shows, again relatively few decisions of the Social Assistance Review Board were appealed to the Divisional Court of the Supreme Court of Ontario. Twenty (20) new appeals were filed during the year and added to the 26 pending from 1981-82. Of the 46 cases, 16 were heard and 13 withdrawn. Seventeen (17) cases were awaiting action by the Court at the end of the year.

Of the 16 cases which came before the Bench only four (4) appeals were allowed. Three of these appeals related to the entitlement to a Mother's Allowance under The Family Benefits Act in situations allegedly involving a common-law relationship which would have disentitled the appellant to such an allowance. In one of these cases, which dealt with recovery of an overpayment, the jurisdiction of the Social Assistance Review Board was an issue. In another case it was a matter of procedure which resulted in a new Hearing being ordered by the Court. The fourth case, submitted for Judicial Review and the only one pertaining to entitlement under The General Welfare Assistance Act, was referred back to the Municipality and related to income received by the appellant under a divorce settlement.

As in the past, the Board was well served by its Secretariat whose members are often the first point of contact for the appellant or the legal representative of the appellant. It is fitting also to acknowledge the competence and professional reliability of the Board's independent legal counsel. The staff constantly strives to be as helpful as possible to appellants without, however, compromising the impartiality of the Social Assistance Review Board as a quasi-judicial administrative tribunal.

Statistical Tables

TABLE 1:

NUMBER OF APPEALS

Cases brought forward from 1981-82	608
Appeals received during the year	<u>4,920</u>
Sub-Total	5,528
Cases Closed Without a hearing	708
Appeals Heard	<u>4,219</u>
Appeals Heard	<u>4,927</u>
Cases Carried Forward Into 1983-84	601

TABLE 2:
APPEALS HEARD CLASSIFIED BY PROGRAM AND ISSUE

	FBA	GWA	REHAB	ALL PROGRAMS				
ISSUE APPEALED	#	%	#	%	#	%	#	%
ASSISTANCE REFUSED	1709	72.3	1150	66.3	99	83.2	2958	70.1
ASSISTANCE CANCELLED/ SUSPENDED	275	11.6	372	21.5	18	15.1	665	15.7
AMOUNT GRANTED	286	12.1	175	10.1	2	1.7	463	11.0
REDUCTION/RECOVERY OF OVERPAYMENT	93	3.9	37	2.1	--	--	130	3.1
OTHER	3	0.1	--	--	--	--	3	0.1
PROGRAM TOTALS	2366	100%	1734	100%	119	100%	4219	100%
PERCENTAGE OF "ALL PROGRAMS"	56.1		41.1		2.8		100%	

TABLE 3:
S.A.R.B. DISPOSITION OF APPEALS HEARD CLASSIFIED BY PROGRAM

	FBA			GWA			REHAB.			TOTAL	
	#	%	#	#	%	#	%	#	%	#	%
APPEAL GRANTED	529	22.3		138	8.0		29	24.4		696	16.5
APPEAL DENIED	1622	68.6		1482	85.5		81	68.1		3185	75.5
REFERRED BACK	65	2.7		25	1.4		6	5.0		96	2.3
NO JURISDICTION	49	2.1		27	1.5		2	1.7		78	1.8
CONSIDERED CLOSED	101	4.3		62	3.6		1	0.8		164	3.9
TOTAL HEARD	2366	100%		1734	100%		119	100%		4219	100%

TABLE 4:
APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S
DECISIONS AND DISPOSITION BY S.A.R.B.

PROGRAM AND ADMINISTRATOR'S REASONS	GRANTED			DENIED			REFERRED BACK			JURISDICTION			NO CONSIDERED CLOSED			TOTAL		
	#	%	#	#	%	#	#	%	#	%	#	%	#	%	#	%	#	%
FBA																		
NOT DISABLED OR P.U.E.	404	58.1	868	27.2	20	20.8	11	14.1	34	20.8	1337	31.7						
NOT LIVING AS A SINGLE	22	3.2	174	5.5	3	3.1	5	6.4	2	1.2	206	4.9						
NOT SEEKING MAINTENANCE	17	2.4	79	2.5	2	2.1	2	2.6	11	6.7	111	2.6						
INCOME IN EXCESS	10	1.4	121	3.8	3	3.1	4	5.1	11	6.7	149	3.5						
ADJUSTED FOR INCOME	8	1.1	67	2.1	9	9.4	1	1.3	5	3.1	90	2.1						
REAL PROPERTY	9	1.3	37	1.2	5	5.2	—	—	2	1.2	53	1.3						
DEPENDENT	9	1.3	37	1.2	4	4.2	1	1.3	3	1.8	54	1.3						
ASSETS IN EXCESS	9	1.3	42	1.3	5	5.2	1	1.3	3	1.8	60	1.4						
SPONSOR RESPONSIBLE	—	—	36	1.1	1	1.0	—	—	2	1.2	39	0.9						
INFORMATION NOT PROVIDED	16	2.3	52	1.6	7	7.3	4	5.1	11	6.7	90	2.2						
OTHER	25	3.6	109	3.4	6	6.3	20	25.6	17	10.4	177	4.2						
TOTAL FBA	529	76.0	1622	50.9	65	67.7	49	62.8	101	61.6	2366	56.1						

TABLE 4:
APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S
DECISIONS AND DISPOSITION BY S.A.R.B.

PROGRAM AND ADMINISTRATOR'S REASONS	GRANTED		DENIED		REFERRED BACK		JURISDICTION CLOSED		NO CONSIDERED CLOSED		TOTAL		
	GWA	#	%	#	%	#	%	#	%	#	%	#	%
JOB SEARCH	36	5.2		437	13.7	2	2.1	1	1.3	17	10.4	493	11.7
JOB LOSS	27	3.9		312	9.8	1	1.0	1	1.3	12	7.3	353	8.4
ADJUSTED FOR INCOME	8	1.1		84	2.6	2	2.1	2	2.6	3	1.9	99	2.3
INCOME IN EXCESS	9	1.3		144	4.5	6	6.3	4	5.1	2	1.2	165	3.9
NOT LIVING AS SINGLE	16	2.3		74	2.3	2	2.1	--	--	2	1.2	94	2.2
PARENTAL HOME	8	1.1		68	2.1	2	2.1	--	--	1	0.6	79	1.9
INFORMATION NOT PROVIDED	4	0.6		61	1.9	1	1.0	2	2.6	1	0.6	69	1.6
ASSETS IN EXCESS	4	0.6		48	1.5	3	3.1	1	1.3	1	0.6	57	1.3
SPONSOR RESPONSIBLE	3	0.4		48	1.5	--	--	2	2.5	3	1.8	56	1.3
NOT SEEKING SUPPORT	8	1.1		30	1.0	2	2.1	2	2.5	3	1.8	45	1.1
REAL PROPERTY	1	0.2		27	0.9	--	--	--	--	1	0.6	29	0.7
DEPENDENT	1	0.2		5	0.2	--	--	--	--	--	--	6	0.2
OTHER	13	1.8		144	4.5	4	4.2	12	15.4	16	9.8	189	4.5
TOTAL GWA	138	19.8		1482	46.5	25	26.1	27	34.6	62	37.8	1734	41.1

TABLE 4:
 (Cont'd.)
 APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S
 DECISIONS AND DISPOSITION BY S.A.R.B.

PROGRAM AND ADMINISTRATOR'S REASONS	GRANTED		DENIED		REFERRED BACK		NO JURISDICTION		NO CONSIDERED CLOSED		TOTAL	
	#	%	#	%	#	%	#	%	#	%	#	%
<u>VOC. REHAB. LEARNING DISABILITY:</u>												
NOT DISABLED	4	0.6	18	0.6	3	3.1	---	---	---	---	25	0.6
FACILITY AVAILABLE	15	2.2	25	0.8	---	---	---	---	---	---	40	1.0
NO PROGRESS	5	0.7	21	0.7	---	---	---	---	1	0.6	27	0.6
AMOUNT OF ASSISTANCE	--	---	--	---	---	---	---	---	---	---	--	---
TOTAL LEARNING DIS. CASES	24	3.5	64	2.1	3	3.1	---	---	1	0.6	92	2.2
TOTAL OTHER REHAB. CASES	5	0.7	17	0.5	3	3.1	---	---	---	---	27	0.6
ALL VOC. REHAB. TOTALS	29	4.2	81	2.6	6	6.2	2	2.6	1	0.6	119	2.8
ALL PROGRAMS	696	100%	3185	100%	96	100%	78	100%	164	100%	4219	100%

TABLE 5: TYPE OF REPRESENTATION ON BEHALF OF APPELLANT

	<u># Cases</u>	<u>%</u>
Appellant Alone	1492	35.4
Friend or Family	1245	29.5
Hearing held in Absentia	954	22.6
Private lawyer	371	8.8
Member of Provincial Parliament	63	1.5
Other	94	2.2
Total Heard	4219	100.0

TABLE 6: DISTRIBUTION BY SEX

	FBA		GWA		REHAB.		ALL PROGRAMS	
	#	%	#	%	#	%	#	%
MALE	1131	47.8	1260	72.7	88	73.9	2479	58.8
FEMALE	1235	52.2	474	27.3	31	26.1	1740	41.2
TOTAL	2366	100.0	1734	100%	119	100.0	4219	100.0

TABLE 7:
DISTRIBUTION BY FAMILY STATUS

	FBA	GWA	REHAB.	ALL PROGRAMS
	#	%	#	%
SINGLE	677	28.6	741	42.7
MARRIED/COMMON-LAW	581	24.5	497	28.7
SEPARATED/DESERTED	355	15.0	237	13.7
DIVORCED	394	16.7	103	5.9
WIDOWED	255	10.8	63	3.6
NOT STATED	104	4.4	93	5.4
TOTAL	2366	100.0	1734	100.0
			119	100.0
			4219	100.0

TABLE 8:
DISTRIBUTION OF APPELLANTS BY AGE GROUP

	FBA	GWA	REHAB.	ALL PROGRAMS				
	#	%	#	%	#	%	#	%
UNDER 16	2	0.1	9	0.5	54	45.4	65	1.5
16 AND UNDER 18	17	0.7	80	4.6	13	10.9	110	2.6
18 AND UNDER 60	2036	86.1	1477	85.2	48	40.3	3561	84.4
60 AND UNDER 65	140	5.9	26	1.5	1	0.9	167	4.0
OVER 65	66	2.8	49	2.8	—	—	115	2.7
AGE NOT STATED	105	4.4	93	5.4	3	2.5	201	4.8
TOTAL	2366	100.0	1734	100.0	119	100.0	4219	100.0

TABLE 9:

GEOGRAPHIC LOCATION OF APPELLANTS

	<u>1982-1983</u>		<u>1981-1982</u>	
	APPEALS HEARD	PERCENT	APPEALS HEARD	PERCENT
MAJOR CITIES				
BRAMPTON	8	0.2	8	0.2
BURLINGTON	33	0.8	26	0.7
HAMILTON	210	5.0	145	3.9
KINGSTON	38	0.9	63	1.7
KITCHENER	40	0.9	32	0.9
LONDON	142	3.3	115	3.1
METRO TORONTO	969	23.0	830	22.6
MISSISSAUGA	24	0.6	32	0.9
OSHAWA	29	0.7	25	0.7
OTTAWA	114	2.7	119	3.2
ST. CATHARINES	78	1.8	75	2.0
THUNDER BAY	33	0.8	37	1.0
WINDSOR	216	5.1	142	3.9
TOTAL MAJOR CITIES	1934	45.8	1649	44.8
TOTAL OTHER COMMUNITIES	2285	54.2	2029	55.2
TOTAL APPEALS HEARD	4219	100.0	3678	100.0

TABLE 10: NUMBER OF APPEALS RECEIVED AND HEARINGS HELD
DURING THE TEN-YEAR PERIOD 1973-74 - 1982-83

FISCAL YEAR	NUMBER OF APPEALS RECEIVED	NUMBER CLOSED WITHOUT HEARING	NUMBER OF HEARINGS	APPEALS PENDING AT YEARS END	PERCENT HEARD
1973-74	1,478	175	1,303		88.2
1974-75	2,081	313	1,768		85.0
1975-76	2,424	386	2,038		84.1
1976-77	3,644	695	2,949		80.9
1977-78	4,022	823	3,199		79.5
1978-79	4,471	907	3,551		79.4
1979-80	4,929	944	3,815*		77.4
1980-81	4,792	906	4,098*	572*	85.5
1981-82	4,680	966	3,678	608	78.6
1982-83	4,920	708	4,219	601	85.8

*Changed from previously published data
to reflect revised reporting basis

Earlier data (unchanged) now provides

TABLE 11 : PERCENTAGE INCREASE (DECREASE) OF APPLICATIONS AND HEARINGS DURING THE TEN-YEAR PERIOD 1973-74 - 1982-83

FISCAL YEAR	APPLICATIONS FOR HEARINGS			CASES HEARD
	NUMBER	PERCENT INCREASE (DECREASE) OVER PREVIOUS YEAR	NUMBER	PERCENT INCREASE (DECREASE) OVER PREVIOUS YEAR
1973-74	1,478	(26.5)	1,303	(27.2)
1974-75	2,081	40.8	1,768	35.7
1975-76	2,424	16.5	2,038	15.3
1976-77	3,644	50.3	2,949	44.7
1977-78	4,022	10.4	3,199	8.5
1978-79	4,471	11.2	3,551	11.0
1979-80	4,929	10.2	3,815*	N/A
1980-81	4,792	(2.8)	4,098*	2.4 *
1981-82	4,680	(2.3)	3,678	(10.2)
1982-83	4,920	5.1	4,219	14.7

*Changed from previously published data to reflect revised reporting basis

Earlier data (unchanged) now provides trend indicators only

TABLE 12: PERCENTAGE OF APPEALS GRANTED AND DENIED
DURING THE TEN-YEAR PERIOD 1973-74 - 1982-83

FISCAL YEAR	NUMBER	APPEALS GRANTED	APPEALS DENIED	REFERRED BACK	JURISDICTION	NO CLOSED	CONSIDERED CLOSED
1973-74	100%	34.0	66.0	-----	-----	-----	-----
1974-75	100%	17.1	72.8	10.1	-----	-----	-----
1975-76	100%	15.9	76.9	6.6	0.6	-----	-----
1976-77	100%	16.0	80.0	4.0	-----	-----	-----
1977-78	100%	17.5	79.9	2.5	0.1	-----	-----
1978-79	100%	19.2	79.0	1.7	0.1	-----	-----
1979-80	100%	13.9	82.5	2.9	0.7	-----	-----
1980-81	100%	12.5	83.4	3.1	1.0	-----	-----
1981-82	100%	16.3	78.4	4.6	0.7	-----	-----
1982-83	100%	16.5	75.5	2.3	1.8	3.9	-----

TABLE 13: PERCENTAGE OF APPEALS HEARD BY PROGRAM
DURING THE TEN-YEAR PERIOD 1973-74 - 1982-83

FISCAL YEAR	TOTAL	FBA	GWA	REHAB	GAINS	CO-PAYMENT
1973-74	100%	65.8	33.8	0.4	---	---
1974-75	100%	70.4	28.0	1.0	0.6	---
1975-76	100%	54.3	41.2	4.3	0.2	---
1976-77	100%	61.7	35.4	2.7	0.2	---
1977-78	100%	67.4	30.0	2.5	0.1	---
1978-79	100%	68.3	29.5	2.2	*	---
1979-80	100%	68.6	29.0	1.9	*	0.5
1980-81	100%	69.6	27.5	2.9	---	*
1981-82	100%	70.5	26.7	2.8	---	*
1982-83	100%	56.1	41.1	2.8	---	---

*less than 0.1%

TABLE 14: APPEALS TO THE DIVISIONAL COURT OF THE SUPREME COURT OF
ONTARIO DURING THE TEN YEAR PERIOD 1973-74 - 1982-83

FISCAL YEAR	APPEALS OPENED	APPEALS HEARD	APPEALS WITHDRAWN	TOTAL CLOSED	NUMBER PENDING
1973-74	5	2	1	3	2
1974-75	4	3	1	4	2
1975-76	3	2	-	2	3
1976-77	17	4	1	5	15
1977-78	14	5	9	14	15
1978-79	12	6	8	14	13
1979-80	17	6	10	16	14
1980-81	27	7	4	11	30
1981-82	19	9	14	23	26
1982-83	20	16	13	29	17



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Fifteenth Annual Report **Social Assistance Review Board**

Fiscal Year 1983 - 1984

Letter of Transmittal

**The Honourable Frank Drea
Minister of Community and Social Services**

Sir:

I am pleased to present the 15th Annual Report of the Social Assistance Review Board, covering the fiscal year ending March 31, 1984.



**E.F.H. Strauss
Chairman
Social Assistance Review Board**

August, 1984

Board Members
as of March 31, 1984

CHAIRMAN

Eugene F. H. Strauss

VICE-CHAIRMEN

Desmond Bender
Norma Brown
Ross Edgar Edwards
Henry J. Price

MEMBERS

Peter J. Boluk
P. Edgar Buchan
Evelyn Buck
Diana Eaton
G. Jean Elliott
Madeleine Filion
M. Albertina Gabriel
Bruce J. Goulet
Alene Holt
Maurice Hotte
Pierrette Lamarche
Claudio C. Lewis
Gaetano Manuele
John W. McLaughlin
Ronald J.A. McMaster
William H. Merritt
Ethel Myers
George Nixon
Ronald G. Totten
Audrey Voice
Brian G. Yandell

EXECUTIVE SECRETARY

Tom Barratt

LEGAL COUNSEL

Harold E. Fulton, Q.C.

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Introduction & Background

The first appointments to the Social Assistance Review Board were made on January 1, 1969 and the Board heard the first appeals in April of that year. Therefore it has now completed fifteen years of operation.

The Board (also referred to as "the Board of Review") continues to operate under the provisions of Sections 11 to 13 of The Ministry of Community and Social Services Act (R.S.O. 1980, c. 273 as amended) and the Regulations made under that Act. It also functions in accordance with the provisions for appeal procedures stipulated in The Family Benefits Act (R.S.O. 1980, c. 151 sections 13 to 15), The General Welfare Assistance Act, (R.S.O. 1980, c. 188 s. 11) and The Vocational Rehabilitation Services Act (R.S.O. 1980, c. 525 s. 10) and the relevant Regulations made under these Acts.

Appeals may also be addressed to the Social Assistance Review Board regarding co-payments for chronic care services which are provided for under The Health Insurance Act (R.S.O. 1980, c. 197). However such appeals have been very infrequent.

As a "tribunal" within the meaning of The Statutory Powers Procedure Act (R.S.O. 1980, c. 484), the Social Assistance Review Board operates according to the provisions of that Act. For practical reasons a statutory exemption applies to the Board's discretionary authority to order interim assistance which may be paid to an appellant pending the outcome of an appeal before the Board.

It is the function of the Social Assistance Review Board to determine independently on written appeal whether the circumstances of an appellant at the time of a social assistance administrator's decision justified that decision. The Board has no investigative powers and can therefore make a decision based only on the evidence presented for a hearing by the parties to the appeal.

The parties to the appeal are notified of the hearing as required by legislation and are invited to attend and/or to be represented and to make submissions orally or in writing. A written submission or report from either party is *prima facie* evidence before the Board.

The parties are alerted to the fact that a hearing may proceed in their absence, but the Board usually agrees to reschedule a hearing if notified in advance of the inability of an appellant or other key participant to attend at the stipulated time. Hearings are held in the locality or vicinity in which the appellant resides and frequently in the appellant's home when circumstances warrant special arrangements.

Each hearing is conducted by one or more members of the Board so authorized by the Chairman of the Board under subsection 11(6) of The Ministry of Community and Social Services Act. Hearings must be held in private (Section 12). They are conducted in an informal manner, subject to certain standard practices designed to ensure fairness and consistency and to promote a clear understanding of the process and procedures by people unfamiliar with them.

The Board renders its decisions and the reasons for such decision in writing. Pursuant to sub-section 14.(6) of The Family Benefits Act (and other Acts referring back to that Section) the Board may after a hearing

- "14.(6) ... (a) affirm the decision;
- (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or
- (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the Regulations".

A decision of the Board may be further appealed either by requesting reconsideration by the Board itself or, when it is not a question of fact alone, by appeal to the Divisional Court of the Supreme Court of Ontario.

All appeals including the original request for a hearing by the Social Assistance Review Board must be initiated in the appropriate form within the time limit specified in the relevant legislation.

Members are appointed to the Board by Order-in-Council for 3-year terms and are from various parts of the Province.

Except as required by law and subject to the essential requirements of accountability for the prudent and legal expenditure of public funds, the Social Assistance Review Board operates as an independent and quasi-judicial body but reports to the Legislature through the Minister of Community and Social Services. The Board retains independent legal counsel.

Chairman's Comments

For the second year in succession the work of the Social Assistance Review Board increased substantially. The number of Requests for Hearings increased by 466 cases or 9.5%. The number of cases heard increased by 281 or 6.7%. The difference is accounted for by a substantial number of appeals to the Board which, prior to a Hearing, were either withdrawn by the Appellant, found to be outside the jurisdiction of the Board or to be "out of time". On the other hand, the frequency of requests for the re-scheduling of Hearings also increased, from 460 in 1982-1983 to 765 in 1983-1984. This accommodation, made in the interest of natural justice, involves considerable duplication of administrative effort. It also results in wasted journeys and additional expense, if Members are already enroute or even at the hearing location when the request for a new hearing date is received. It should also be noted that these changes, while usually requested by the appellant, contribute to the delays for which the Board is frequently criticized.

The proportion of appeals heard in respect of decisions made under the Family Benefits Act again dropped slightly, but these appeals still account for approximately 55% of the total. They increased numerically by 111 cases. Appeals against municipal decisions under the General Welfare Assistance Act increased by 133. Appeals under the Vocational Rehabilitation Services Act, which are usually complex and involve lengthy hearings, increased by 31%. Thirty of the additional 37 cases arose from decisions related to learning disabled children, bringing the total of such cases to 122 for the year. In most of these cases the appeals arose from disputes about the availability of suitable courses in the local school system. The legislation, which reflects a transitional program, leaves little room for discretion. This accounts for a significant increase in the number of cases pending before the Divisional Court of the Supreme Court of Ontario, because the Social Assistance Review Board affirmed the decision of the Director to refuse funding.

Under the Family Benefits Act, most appeals continue to pertain to medical cases ("not permanently unemployable") representing nearly 36% of the hearings held under that Act. Another issue, which has been popularly labelled "a man in the house", and which refers to applicants or recipients of either sex who are or claim to be single parents of one or more dependent children, again accounts for 4.9% of the appeals under the Family Benefits Act and 2.2% of the appeals under the General Welfare Assistance Act. Some of the cases included in the statistical tables under the heading "Recovery of Overpayment" also arise from this issue, but not all overpayment cases refer to spousal relationships. These appeals arise from findings or allegations that a recipient or applicant for a benefit was "not living in the circumstances of a single person". This is an issue which is becoming increasingly complex. The complexity stems both from changing social practices and standards and from decisions of the Divisional Court of the Supreme Court of Ontario in recent years. The Court has ruled that there must be evidence of an economic relationship between the parties, but also that such an economic relationship alone is not sufficient to prove cohabitation and consortium.

In cases pertaining to "single" status, as in all other cases, the onus at a Hearing before the Social Assistance Review Board, rests with the Appellant to meet the *prima facie* case of the Respondent. However, in consortium situations, the Respondent's case must now rest primarily, but not solely, on evidence of economic support, the absence of which is frequently at the heart of the problem. As a result, the Appellant's partner is encouraged to make no economic contribution at all, however close the relationship may be otherwise, lest it jeopardize the applicant's or recipient's eligibility for public support. It is an area in which it is becoming increasingly difficult to adjudicate in accordance with the existing legislation and in keeping with community standards of economic fairness and personal responsibility on the one hand, and of personal freedom and privacy on the other. At year end a number of so called "common-law" cases were yet to be heard by the

Divisional Court, but the decisions which have been rendered between them and the preparation of these comments have reinforced the decision described earlier.

In the General Welfare Assistance (G.W.A.) programme, the most frequently appealed issues remained those pertaining to employment, with "inadequate efforts to look for work" again as the top category at 12.4% of all G.W.A. cases (up from 11.7% last year) followed by "loss of job within the control of Appellant" in second place at 8.0% (down from 8.4% last year).

During the year the Board was able to hold Hearings more quickly, thanks largely to the availability of additional Board Members. The proportion of first Notices of Hearing sent out within 21 days of receipt of a request (Form 1 or Form 2) rose from 69% to 83%. Reference was made earlier to the frequency of requests for the postponement (rescheduling) of Hearing dates. It is therefore not meaningful to measure the Board's performance on the overall elapsed time of "61 days" frequently referred to in complaints. Furthermore, the 40 day period from Notice of Hearing, stipulated in the Regulation made pursuant to the Ministry of Community and Social Services Act as the time within which the Board shall deliver its decision, includes the period of notice for all parties for which a minimum of three weeks or about 21 days has been requested by most participants. The balance of 19 days is insufficient, except in the most routine of cases, to complete the process resulting in a well-reasoned, comprehensible and, above all, legally sound Notice of Decision.

The continued increase in the volume and complexity of cases helped to build up a substantial backlog in the administrative support area of the Board in spite of procedural innovations and automation.

The relatively small support staff of the Secretariat of fifteen authorized at the beginning of the fiscal year was expanded to eighteen positions later in the year. Also, additional temporary

staff was engaged in attempts to alleviate the problems and to reduce the excessive delays. Other time-saving measures, such as standardized short decisions for selected situations, were introduced. Some improvement is beginning to be noticed in spite of still rising volumes at this time.

In mid-January, 1984, Mr. Frank Mulrooney who had loyally and effectively served as the Executive Secretary of the Board since its inception more than fifteen years ago, accepted a career development opportunity and transferred to the Operational Support Branch of the Ministry of Community and Social Services. Mr. Tom Barratt from that Branch, in turn, accepted the challenge and became the Board's Executive Secretary. At about the same time Mr. Donald H. Morrow, former Member and Speaker of the Legislative Assembly, who had been a much respected member of the Board for a period of six years, retired after a long and distinguished public career. To him, as to Mr. Mulrooney, on behalf of the Board Members and staff, I wish to express this appreciation publicly for a job well done.

On February 15, 1984 the Standing Committee on Procedural Affairs of the Legislature met to review the function of the Social Assistance Review Board and invited the Chairman of the Board and its legal counsel, Mr. H. E. Fulton, Q.C., to explain its operation. At the time of writing, the Committee's report has been tabled in the Legislature but the debate thereon was adjourned. A response to the Committee's recommendations would, therefore, be premature.

STATISTICAL TABLES**TABLE 1: NUMBER OF APPEALS**

CASES BROUGHT FORWARD FROM 1982-83	601
APPEALS RECEIVED DURING THE YEAR	<u>5,386</u>
	<u>SUB-TOTAL</u>
	5,987
CASES CLOSED WITHOUT A HEARING	876
APPEALS HEARD	<u>4,500</u>
CASES CARRIED FORWARD INTO 1984-1985	<u>611</u>
	<u><u> </u></u>

TABLE 2:
APPEALS HEARD CLASSIFIED BY PROGRAM AND ISSUE

	ISSUED APPEALED	F.B.A.	G.W.A.	VOC.	REHAB.	ALL PROGRAMS
	#	%	#	%	#	%
ASSISTANCE REFUSED	1821	73.5	1106	59.2	144	92.3
ASSISTANCE CANCELLED/SUSPENDED	291	11.8	499	26.7	8	5.1
AMOUNT GRANTED	266	10.7	212	11.4	3	1.9
REDUCTION/RECOVERY OF OVERPAYMENT	65	2.6	29	1.6	--	--
OTHER	34	1.4	21	1.1	1	0.7
PROGRAM TOTALS	2477	100%	1867	100%	156	100%
PERCENTAGE OF "ALL PROGRAMS"	55.0		41.5		3.5	100%

TABLE 3:
S.A.R.B. DISPOSITION OF APPEALS HEARD CLASSIFIED BY PROGRAM

	F.B.A.	G.W.A.	VOC.	REHAB.	TOTAL	
	#	%	#	%	#	%
APPEAL GRANTED	568	22.9	166	8.9	26	16.7
APPEAL DENIED	1726	69.7	1587	85.0	119	76.3
REFERRED BACK	50	2.0	33	1.8	10	6.4
NO JURISDICTION	72	2.9	22	1.2	—	—
CONSIDERED CLOSED	61	2.5	59	3.1	1	0.6
TOTAL HEARD	2477	100%	1867	100%	156	100%
					4500	100%

TABLE 4:
APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S
DECISIONS AND DISPOSITION BY S.A.R.B.

<u>F.B.A.</u>	PROGRAM AND ADMINISTRATOR'S REASONS		DENIED		REFERRED BACK		NO JURISDICTION		CONSIDERED CLOSED		TOTAL	
	#	%	#	%	#	%	#	%	#	%	#	%
NOT PERMANENTLY UNEMPLOYABLE	463	60.9	1073	31.3	22	23.6	19	20.2	33	27.3	1610	35.8
NOT LIVING AS A SINGLE PERSON	33	4.4	163	4.7	7	7.5	15	16.0	4	3.3	222	4.9
INCOME ADJUSTMENT	10	1.3	97	2.8	5	5.4	3	3.2	2	1.7	117	2.6
NOT SEEKING MAINTENANCE	16	2.1	69	2.0	—	—	—	—	2	1.6	87	1.9
INCOME IN EXCESS OF BUDGET	2	0.3	64	1.9	4	4.3	1	1.1	3	2.5	74	1.7
ASSETS IN EXCESS OF LIMIT	7	0.9	62	1.8	1	1.1	1	1.1	2	1.6	73	1.6
DISPOSAL OF ASSETS	—	—	3	0.1	—	—	—	—	—	—	3	0.1
SPONSORSHIP	1	0.2	17	0.5	—	—	—	—	—	—	18	0.4
EXPENSES DOWN	7	0.9	35	1.0	—	—	1	1.0	2	1.7	45	1.0
DEPENDENT NOT ELIGIBLE	1	0.1	9	0.3	1	1.1	—	—	—	—	11	0.2
HANDICAPPED CHILDREN'S BENEFITS — NOT ELIGIBLE	4	0.5	22	0.6	4	4.3	1	1.0	1	0.8	32	0.7
INFORMATION NOT PROVIDED	—	—	33	1.0	1	1.1	1	1.1	—	—	35	0.8
OTHER	24	3.2	79	2.3	5	5.4	30	31.9	12	9.9	150	3.3
TOTAL F.B.A.	568	74.8	1726	50.3	50	53.8	72	76.6	61	50.4	2477	55.0

TABLE 4: (CONT'D)
APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S
DECISIONS AND DISPOSITION BY S.A.R.B.

ADMINISTRATOR'S REASONS	PROGRAM AND		DENIED	REFERRED BACK	NO JURISDICTION		NO CONSIDERED CLOSED	#	%	#	%	#	%	#	%
	GRANTED	#	%												
G.W.A.															
JOB SEARCH	35	4.6	493	14.4	8	8.6	1	1.1	22	18.2	559	12.4			
JOB LOSS	36	4.7	314	9.0	3	3.2	1	1.1	8	6.6	362	8.0			
INCOME ADJUSTMENT	9	1.2	119	3.5	3	3.2	2	2.1	5	4.1	138	3.1			
ASSETS IN EXCESS OF LIMIT	5	0.7	100	2.9	1	1.1	--	--	2	1.7	108	2.4			
NOT LIVING AS A SINGLE PERSON	14	1.8	84	2.5	1	1.1	--	--	--	--	99	2.2			
INCOME OVER BUDGET	3	0.4	83	2.4	7	7.5	3	3.2	2	1.7	98	2.2			
DISPOSAL OF ASSETS	--	--	7	0.2	--	--	--	--	--	--	7	0.2			
SPONSORSHIP	2	0.3	26	0.8	2	2.2	1	1.0	--	--	--	--			
CANADA STATUS	--	--	5	0.2	--	--	--	--	--	--	5	0.1			
NOT SEEKING MAINTENANCE	4	0.5	20	0.6	2	2.1	--	--	2	1.6	28	0.6			
EXPENSES DOWN	3	0.4	27	0.8	1	1.1	--	--	--	--	31	0.7			
DEPENDENT NOT ELIGIBLE	2	0.2	5	0.1	--	--	--	--	--	--	7	0.1			
PARENTAL HOME AVAILABLE	12	1.6	63	1.8	--	--	--	--	--	--	75	1.7			
INFORMATION NOT PROVIDED	5	0.7	85	2.5	2	2.2	--	--	3	2.5	95	2.1			
OTHER	36	4.7	156	4.5	3	3.2	14	14.9	15	12.4	224	5.0			
TOTAL G.W.A.		166	21.8	1587	46.2	33	35.5	22	23.4	59	48.8	1867	41.5		

TABLE 4 (CONT'D)

APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S
DECISIONS AND DISPOSITION BY S.A.R.B.

PROGRAM AND ADMINISTRATOR'S REASONS		GRANTED		DENIED		REFERRED BACK		JURISDICTION		NO CONSIDERED		CLOSED		TOTAL	
VOC. REHAB.	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%
<u>LEARNING DISABILITY:</u>															
NOT LEARNING - DISABLED	2	0.2		11	0.3	--		--		1	0.8			14	0.3
SCHOOL BOARD PROVIDES	15	2.0		57	1.7	9	9.7	--		--		--		81	1.8
PROGRESS INSUFFICIENT	1	0.2		21	0.6	1	1.0	--		--		--		23	0.5
INFORMATION NOT PROVIDED	--	--		4	0.1	--		--		--		--		4	0.1
TOTAL LEARNING DISABLED CASES	18	2.4		93	2.7	10	10.7	--		1	0.8			122	2.7
TOTAL OTHER VOC. REHAB. CASES	8	1.0		26	0.8	--		--		--		--		34	0.8
ALL VOC. REHAB. TOTALS	26	3.4		119	3.5	10	10.7	--		1	0.8			156	3.5
ALL PROGRAMS	760	100%		3432	100%	93	100%	94	100%	121	100%	4500	100%		

TABLE 5: TYPE OF REPRESENTATION ON BEHALF OF APPELLANT

	<u>Number of Cases</u>	<u>%</u>
APPELLANT ALONE	1731	38.5
FRIEND OR FAMILY	1206	26.8
HEARING HELD IN ABSENTIA	890	19.8
PRIVATE LAWYER OR LEGAL CLINIC	388	8.6
MEMBER OF PROVINCIAL PARLIAMENT	62	1.4
OTHER	223	4.9
TOTAL HEARD	4500	100.0

TABLE 6: **DISTRIBUTION BY SEX**

	F.B.A.		G.W.A.		VOC. REHAB.		ALL PROGRAMS	
	#	%	#	%	#	%	#	%
MALE	1155	46.6	1366	73.2	119	76.3	2640	58.7
FEMALE	1322	53.4	501	26.8	37	23.7	1860	41.3
TOTAL	2477	100.0	1867	100%	156	100.0	4500	100.0

TABLE 7:
DISTRIBUTION BY FAMILY STATUS

FAMILY STATUS	F.B.A.		G.W.A.		VOC.		REHAB.		ALL PROGRAMS	
	#	%	#	%	#	%	#	%	#	%
SINGLE	669	27.0	819	43.9	130	83.3	1618	36.0		
MARRIED/COMMON-LAW	648	26.2	522	28.0	15	9.6	1185	26.3		
SEPARATED/DESERTED	338	13.7	224	12.0	3	1.9	565	12.6		
DIVORCED	397	16.0	139	7.4	2	1.3	538	11.9		
WIDOWED	226	9.1	40	2.1	--	--	266	5.9		
NOT STATED	199	8.0	123	6.6	6	3.9	328	7.3		
TOTAL	2477	100%	1867	100%	156	100%	4500	100%		

TABLE 8:
DISTRIBUTION OF APPELLANTS BY AGE GROUP

AGE GROUP	F.B.I.	G.W.A.	VOC.	REHAB.	ALL PROGRAMS
	#	%	#	%	#
UNDER 16	3	0.1	1	0.1	75
16 AND UNDER 18	9	0.4	65	3.5	10
18 AND UNDER 60	2205	89.0	1651	88.4	67
60 AND UNDER 65	63	2.5	27	1.4	—
OVER 65	35	1.4	19	1.0	—
AGE NOT STATED	162	6.6	104	5.6	4
TOTAL	2477	100%	1867	100%	156
					100%
					4500
					100%

TABLE 9:

GEOGRAPHIC LOCATION OF APPELLANTS

MAJOR CITIES	1983-1984		1982-1983	
	APPEALS HEARD	PERCENT	APPEALS HEARD	PERCENT
BRAMPTON	9	0.2	8	0.2
BURLINGTON	47	1.0	33	0.8
HAMILTON	223	4.9	210	5.0
KINGSTON	39	0.9	38	0.9
KITCHENER	40	0.9	40	0.9
LONDON	207	4.6	142	3.3
METROPOLITAN TORONTO	850	18.9	969	23.0
MISSISSAUGA	40	0.9	24	0.6
OSHAWA	28	0.6	29	0.7
OTTAWA	151	3.4	114	2.7
ST. CATHARINES	120	2.7	78	1.8
THUNDER BAY	63	1.4	33	0.8
WINDSOR	265	5.9	216	5.1
TOTAL MAJOR CITIES	2082	46.3	1934	45.8
TOTAL OTHER COMMUNITIES	2418	53.7	2285	54.2
TOTAL APPEALS HEARD	4500	100%	4219	100%

TABLE 10: NUMBER OF APPEALS RECEIVED AND HEARINGS HELD DURING
THE TEN-YEAR PERIOD 1974-1975 - 1983-1984

FISCAL YEAR	NUMBER OF APPEALS RECEIVED	NUMBER CLOSED WITHOUT HEARING	NUMBER OF HEARINGS	APPEALS PENDING AT YEARS END	PERCENT HEARD
1974-75	2,081	313	1,768	—	85.0
1975-76	2,424	386	2,038	—	84.1
1976-77	3,644	695	2,949	—	80.9
1977-78	4,022	823	3,199	—	79.5
1978-79	4,471	907	3,551	—	79.4
1979-80	4,929	944	3,815 *	—	77.4
1980-81	4,792	906	4,098 *	572 *	85.5
1981-82	4,680	966	3,678	608	78.6
1982-83	4,920	708	4,219	601	85.8
1983-84	5,386	876	4,500	611	83.6

* Changed from previously published data
to reflect revised reporting basis

Earlier data (unchanged) now provides
trend indicators only

TABLE 13:
PERCENTAGE OF APPEALS HEARD BY PROGRAM DURING
THE TEN-YEAR PERIOD 1974-1975 - 1983-1984

FISCAL YEAR	TOTAL	F.B.A.	G.W.A.	VOC. REHAB.	GAINS	CO-PAYMENT
1974-75	100%	70.4	28.0	1.0	0.6	-----
1975-76	100%	54.3	41.2	4.3	0.2	-----
1976-77	100%	61.7	35.4	2.7	0.2	-----
1977-78	100%	67.4	30.0	2.5	0.1	-----
1978-79	100%	68.3	29.5	2.2	*	-----
1979-80	100%	68.6	29.0	1.9	*	0.5
1980-81	100%	69.6	27.5	2.9	-----	*
1981-82	100%	70.5	26.7	2.8	-----	*
1982-83	100%	56.1	41.1	2.8	-----	-----
1983-84	100%	55.0	41.5	3.5	-----	-----

* less than 0.1%

TABLE 14:
APPEALS TO THE DIVISIONAL COURT OF THE SUPREME
COURT OF ONTARIO DURING THE TEN YEAR
PERIOD 1974-75 - 1983-84

FISCAL YEAR	APPEALS OPENED	APPEALS HEARD	APPEALS WITHDRAWN	TOTAL CLOSED	NUMBER PENDING
1974-75	4	3	1	4	2
1975-76	3	2	-	2	3
1976-77	17	4	1	5	15
1977-78	14	5	9	14	15
1978-79	12	6	8	14	13
1979-80	17	6	10	16	14
1980-81	27	7	4	11	30
1981-82	19	9	14	23	26
1982-83	20	16	13	29	17
1983-84	45	9	19	28	34

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Sixteenth Annual Report **Social Assistance Review Board**

Fiscal Year 1984-1985



Letter of Transmittal

The Honourable John Sweeney
Minister of Community and Social Services

Sir:

I am pleased to present the 16th Annual
Report of the Social Assistance Review Board,
covering the fiscal year ending March 31, 1985.



Mavis E. Burke
Chairperson
Social Assistance Review Board

October, 1985

Preface

The Social Assistance Review Board continued to fulfill its mandate by hearing appeals within the jurisdiction of the Board during the fiscal year ending March 31, 1985.

During this period the Board operated under the chairmanship of Mr. Eugene Strauss, who retired as of June 30, 1985, completing a three-and-a-half year term of office with the Social Assistance Review Board.

As his successor I would like to take this opportunity to thank Mr. Strauss for his contribution to the work of this organization, including preparation of this Annual Report as a final act of service to the Board.

There is ample evidence that the review process has become increasingly complex. Board members are required to demonstrate a high level of knowledge and understanding of the relevant legislation and to be prepared to justify any decisions they make as a result of hearings.

The Annual Report, presented to the Minister of Community and Social Services, provides a description of the Board, its development and procedures, a summary of the subject of appeals and an overview of the quantitative features of the service provided to Ontario residents by the Social Assistance Review Board during the 1984-85 year.

Board Members

as of March 31, 1985

CHAIRMAN

Eugene F. H. Strauss

VICE-CHAIRMEN

Desmond Bender
Norma Brown
Ross Edgar Edwards
Henry J. Price

MEMBERS

Peter J. Boluk
P. Edgar Buchan
Evelyn Buck
Diana Eaton
G. Jean Elliott
Madeleine Filion
Stanley W. Frolick, Q.C.
M. Albertina Gabriel
Bruce J. Goulet
Alene Holt
Maurice Hotte
Pierrette Lamarche
Claudio C. Lewis
Lorraine R. Lussier Faouaz
Gaetano Manuele
John W. McLaughlin
Ronald J.A. McMaster
William H. Merritt
Ethel Myers
Molly Nightingale
George Nixon
Shirley M. Tomlinson
Ronald G. Totten
Philip van de Ven
Audrey Voice
Brian G. Yandell

EXECUTIVE SECRETARY

Tom Barratt

LEGAL COUNSEL

Harold E. Fulton, Q.C.

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Introduction and Background

The Social Assistance Review Board is a "tribunal" within the meaning of The Statutory Powers Procedure Act (R.S.O. 1980, c. 484.) and the Board operates according to the provisions of that Act.

Specifically, the Board (also referred to as "the Board of Review") derives its mandate from the provisions of Sections 11 to 13 of The Ministry of Community and Social Services Act (R.S.O. 1980, c. 273 as amended) and the Regulations made under that Act. It also functions in accordance with the provisions for appeal procedures stipulated in The Family Benefits Act (R.S.O. 1980, c. 151 sections 13 to 15), The General Welfare Assistance Act, (R.S.O. 1980, c. 188 s. 11) and The Vocational Rehabilitation Services Act (R.S.O. 1980, c. 525 s. 10) and the relevant Regulations made under these Acts.

Appeals may also be addressed to the Social Assistance Review Board regarding co-payments for chronic care services which are provided for under The Health Insurance Act (R.S.O. 1980, c. 197). However such appeals have been very infrequent.

The first appointments to the Social Assistance Review Board were made on January 1, 1969 and the Board heard the first appeals in April of that year. Therefore it has now completed sixteen years of operation.

It is the function of the Social Assistance Review Board to determine independently on written appeal whether the circumstances of an appellant at the time of a social assistance administrator's decision justified that decision. The Board has no investigative powers and can therefore make a decision based only on the evidence presented for a hearing by the parties to the appeal.

The parties to the appeal are notified of the hearing as required by legislation and are invited to attend or to be represented. Submissions may be made orally or in writing. A written submission or report from either party is *prima facie* evidence before the Board. However, the onus is on the appellant to show that the administrator's decision was wrong in the context of the relevant circumstances and the applicable legislation.

The parties are alerted to the fact that a hearing may proceed in their absence, but the Board usually agrees to reschedule a hearing if notified in advance of the inability of an appellant or other key participant to attend at the stipulated time. Hearings are held in the locality or vicinity in which the appellant resides and frequently in the appellant's home when circumstances warrant special arrangements.

Each hearing is conducted by one or more members of the Board so authorized by the Chairman of the Board under subsection 11(6) of The Ministry of Community and Social Services Act. Hearings must be held in private (Section 12). They are conducted in an informal manner, subject to certain standard practices designed to ensure fairness and consistency and to promote a clear understanding of the process and procedures by people unfamiliar with them.

The Board renders its decisions and the reasons for such decision in writing. Pursuant to sub-section 14.(6) of The Family Benefits Act (and other Acts referring back to that Section) the Board may after a hearing

- "14.(6) ... (a) affirm the decision;
- (b) rescind the decision and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the director; or
- (c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this act and the regulations".

A decision of the Board may be further appealed either by requesting reconsideration by the Board itself or, when it is not a question of fact alone, by appeal to the Divisional Court of the Supreme Court of Ontario.

All appeals, including the original request for a hearing by the Social Assistance Review Board, must be initiated in the appropriate form within 30 days of receipt of the decision which is being appealed.

However, the Board has the authority under section 13 (6) of The Family Benefits Act, to extend the time for filing a Request for Hearing. As a matter of administrative policy, the Board in most cases automatically accepts such requests for a reasonable period beyond the statutory limit. After that the Board will hold a hearing only if it is satisfied that unusual circumstances prevailed which justify the exercise of this discretionary authority.

Where it appears that the decision being appealed falls outside the jurisdiction of the Board, the Appellant is so informed. No hearing is held unless the Board is informed that there is a disagreement about the facts on which the question of jurisdiction depends.

Members are appointed to the Board by Order-in-Council for 3-year terms and are from various parts of the Province.

Except as required by law and subject to the essential requirements of accountability for the prudent and legal expenditure of public funds, the Social Assistance Review Board operates as an independent and quasi-judicial body but reports to the Legislature through the Minister of Community and Social Services. The Board retains independent legal counsel.

Chairman's Comments

The work load of the Social Assistance Review Board again increased substantially. During the year as a whole the number of Requests for Hearings submitted increased by 406 cases or 7.5% over that of the preceding year. The number of cases heard increased by 377 or 8.4%. The difference between the number of Hearings requested and the number actually held is accounted for by a substantial number of appeals to the Board which, prior to a Hearing, were either withdrawn by the Appellant, found to be outside the jurisdiction of the Board or to be "out of time". The frequency of requests for the re-scheduling of Hearings also increased, from 765 in 1983-1984 to 1150 in 1984-1985 an increase of more than 50%. These are costly processes which appear to be non-productive, but are essential features of a quasi-judicial system.

Furthermore it will be noted that Tables 3 and 4 show that 121 cases of the 4,500 for which a Hearing was held, were subsequently "considered closed". These were instances in which the matter had been resolved or there was nothing to be resolved (appeal premature, etc.) but where those facts did not become evident until the Hearing had been convened.

The proportion of appeals heard under the Family Benefits Act increased by 343 or 13.8% and represented approximately 58% of the total. Appeals heard against municipal decisions under the General Welfare Assistance Act increased by only 54 cases and dropped from 41.5% to 39.4% of the numbers of Hearings held. The number of appeals heard under the Vocational Rehabilitation Services Act, dropped slightly from 156 to 136, representing 2.8% of the total case load.

Under the Family Benefits Act, most appeals continue to pertain to medical cases ("not permanently unemployable") representing approximately 70% of the hearings held under that Act. Numerically, hearings held on this issue rose by 374 cases and account for virtually all of the net increase of 377 cases heard under all programs. In 1984-85, as in previous years, it was this issue which

accounted for the highest percentage (69.6%) of all cases under all programs in which the Board rescinded the Director's or Administrator's decision. However, as a proportion of the 1,984 appeals heard on this issue, the 566 appeals granted represent 28.5%. This compares with 16.6% "granted" of all appeals heard.

The issue which has been popularly labelled "a man in the house", and which refers to applicants or recipients of either sex who are or claim to be single parents of one or more dependent children, accounted for 7.5% of the appeals under the Family Benefits Act and 6.7% of the appeals under the General Welfare Assistance Act. As a proportion of all appeals heard, these cases represent 6.9%. As noted in last year's Report, some of the cases included in the statistical tables under the heading "Recovery of Overpayment" also arise from this issue, but not all overpayment cases arise from spousal relationship issues.

It will be recalled that these appeals arise from findings or allegations that a recipient or applicant for a benefit was "not living in the circumstances of a single person". The complexity of this issue stems both from changing social practices and standards and from decisions of the Divisional Court of the Supreme Court of Ontario in recent years. The Court has ruled that there must be evidence of an economic relationship between the parties, but also that such an economic relationship alone is not sufficient to prove cohabitation and consortium.

In cases pertaining to "single" status, as in all other cases, the onus at a Hearing before the Social Assistance Review Board, is on the Appellant to meet the *prima facie* case of the Respondent. However, in consortium situations, the Respondent's case must now rest primarily, but not solely, on evidence of economic support, the proof of which is frequently at the heart of the problem. As a result, the Appellant's partner is encouraged to make no economic contribution at all, however close the relationship may be otherwise, lest it jeopardize the applicant's or recipient's eligibility for public support. It is an area in which it is becoming increasingly difficult to adjudicate in accordance with the existing legislation and in keeping with community standards of economic fairness and personal responsibility on the one hand, and of personal freedom and privacy on the other.

In 1984 the Court ruled (in Re Bolus vs. the Director of the Family Benefits Branch of the Ministry of Community and Social Services, in a decision dated September 24, 1984) that, once the Board found that an appellant and the alleged common-law spouse were living together, the Board was entitled, in the absence of evidence to the contrary, to infer that the common-law spouse was contributing to the economic unit.

In the General Welfare Assistance (G.W.A.) programme, the most frequently appealed issues remained those pertaining to employment, with "inadequate efforts to look for work" again as the top category at 25% of all G.W.A. cases (down from 30% last year) followed by "loss of job within the control of Appellant" in second place at 24% (up from 19.4% last year). These employment issues accounted for just under 20% of all appeals heard by the Board during the year.

The delays in issuing decisions, which had been the subject of our concern and public criticism in recent years, were significantly reduced during the past year. Notices of Hearing were issued within the stipulated 21 days following receipt of a request in 94.5% of all cases. This compares with 83% in 1983-84 and 69% in 1982-83. However, an experiment to reduce the period of notice prior to the hearing in order to more frequently meet the 40 day time limit (from the date of the Notice of Hearing to the date of issuing a decision) showed that all too often one or other of the parties was not ready to proceed. In 1984-85, 34% of decisions were issued within 40 days from the date of the final Notice of Hearing and 63% within 60 days.

Starting on November 13, 1984 a group of Toronto-area community legal clinics, known in this context as "the S.A.R.B. Study Group", provided legal workers as duty counsel at the Toronto hearings of the Board. This project was approved for a six months trial period (ending early in May, 1985). At the time of preparing this report the results of the project are still being compiled and analyzed independently by the Study Group and by the secretariat of the Social Assistance Review Board. In essence the project permitted duty counsel to approach appellants coming to a hearing without legal representation and to offer advice to the appellant prior to the hearing. In several instances the Hearing was then re-scheduled at the request of the Appellants to permit further legal consultation or to obtain additional evidence. The results of the project should be available for a later report.

During the year 41 decisions of the Social Assistance Review Board were appealed to the Divisional Court of the Supreme Court of Ontario. This compares with 45 cases during the previous fiscal year.

Of the 29 cases closed by the court during 1984-85 in respect of Social Assistance Review Board cases, the Board's decision was upheld in 16 cases, 9 cases were abandoned or withdrawn. In four cases the appeal was allowed and the issue was referred back to the social service administrator or the Social Assistance Review Board for a further review and a new decision.

Among the 16 cases in which S.A.R.B.'s decision was upheld by the Divisional Court, were a group of eight which, with the consent of all parties, were heard together. These appeals arose from the provisions under the Regulation (R.R.O. 1980, c. 943 as amended by O. Reg. 635/81) made pursuant to the Vocational Rehabilitation Services Act in respect of funding for special schooling for learning disabled children. Under the Regulation funding may only be granted if, among other pre-conditions, the local school board has provided a written statement confirming that it cannot provide or purchase from another school board, a program suitable for the learning disabled child. The Divisional Court in its decisions upheld the interpretation of the Regulation given to it by the Director of Vocational Rehabilitation Services and by the Social Assistance Review Board, namely that the absence of the specified written statement from the school board precludes funding under the Vocational Rehabilitation Services Act. The Court found that it was not within the authority or obligation of the Director or of the Social Assistance Review Board to challenge the adequacy or appropriateness of a course said to be available from a local school board. The Court released its decision in these cases in February, 1985 and it can be expected that the number of Requests for a Hearing by S.A.R.B. under the Vocational Rehabilitation Services Act will decline.

As in past years the Social Assistance Review Board was well supported by a small but dedicated staff and benefitted from the ready availability and professional advice of its legal counsel, Mr. Harold E. Fulton, Q.C.

STATISTICAL TABLES**TABLE 1: NUMBER OF APPEALS**

CASES BROUGHT FORWARD FROM 1983-1984	611
APPEALS RECEIVED DURING THE YEAR	<u>5,792</u>
	<u>SUB-TOTAL</u>
	6,403
CASES CLOSED WITHOUT A HEARING	1,014
APPEALS HEARD	<u>4,877</u>
	<u>5,891</u>
CASES CARRIED FORWARD INTO 1985-1986	512
	<u><u> </u></u>

TABLE 2:
APPEALS HEARD CLASSIFIED BY PROGRAM AND ISSUE

ISSUED APPEALED	F.B.A.	G.W.A.	VOC.	REHAB.	ALL PROGRAMS	
	#	%	#	%	#	%
ASSISTANCE REFUSED	2251	79.8	1120	58.3	107	78.7
ASSISTANCE CANCELLED/SUSPENDED	283	10.0	543	28.3	20	14.7
AMOUNT GRANTED	229	8.1	232	12.1	7	5.1
REDUCTION/RECOVERY OF OVERPAYMENT	39	1.4	14	0.7	--	--
OTHER	18	0.7	12	0.6	2	1.5
PROGRAM TOTALS	2820	100%	1921	100%	136	100%
PERCENTAGE OF "ALL PROGRAMS"	57.8		39.4		2.8	100%

TABLE 3:
S.A.R.B. DISPOSITION OF APPEALS HEARD CLASSIFIED BY PROGRAM

	F.B.A.		G.W.A.		VOC.		REHAB.		TOTAL	
	#	%	#	%	#	%	#	%	#	%
APPEAL GRANTED	640	22.7	155	8.1	17	12.5	812	16.6		
APPEAL DENIED	1906	67.6	1557	81.1	105	77.2	3568	73.2		
REFERRED BACK	67	2.4	50	2.6	5	3.7	122	2.5		
NO JURISDICTION	69	2.4	41	2.1	1	0.7	111	2.3		
CONSIDERED CLOSED	138	4.9	118	6.1	8	5.9	264	5.4		
TOTAL HEARD	2820	100%	1921	100%	136	100%	4877	100%		

TABLE 4:

**APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S
DECISIONS AND DISPOSITION BY S.A.R.B.**

F.B.A.	PROGRAM AND ADMINISTRATOR'S REASONS		GRANTED	DENIED	REFERRED BACK	JURISDICTION CLOSED	NO CONSIDERED CLOSED	TOTAL
	#	%						
NOT PERMANENTLY UNEMPLOYABLE	566	69.6	1301	36.5	23	18.9	12	10.8
NOT LIVING AS A SINGLE PERSON	20	2.5	166	4.6	6	4.9	7	6.3
INCOME ADJUSTMENT	1	0.1	29	0.8	2	1.6	6	5.4
NOT SEEKING MAINTENANCE	10	1.2	58	1.6	1	0.8	—	—
INCOME IN EXCESS OF BUDGET	2	0.3	46	1.3	3	2.5	5	4.5
ASSETS IN EXCESS OF LIMIT	3	0.4	53	1.5	4	3.3	—	—
DISPOSAL OF ASSETS	4	0.5	18	0.5	1	0.8	—	—
SPONSORSHIP	2	0.3	21	0.6	—	—	—	—
EXPENSES DOWN	—	—	9	0.2	2	1.6	—	—
DEPENDENT NOT ELIGIBLE	2	0.3	13	0.4	1	0.8	2	1.8
HANDICAPPED CHILDREN'S BENEFITS - NOT ELIGIBLE	2	0.3	15	0.4	3	2.5	—	—
INFORMATION NOT PROVIDED	4	0.5	38	1.1	2	1.6	—	—
OTHER	24	2.8	139	3.9	19	15.6	37	33.4
TOTAL F.B.A.	640	78.8	1906	53.4	67	54.9	69	62.2
							138	52.3
							2820	57.8

TABLE 4: (CONT'D)

**APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S
DECISIONS AND DISPOSITION BY S.A.R.B.**

<u>G.W.A.</u>	PROGRAM AND ADMINISTRATOR'S REASONS		GRANTED	DENIED	REFERRED BACK	NO JURISDICTION	CONSIDERED CLOSED	TOTAL				
	#	%										
JOB SEARCH	31	3.8	413	11.6	12	9.9	2	1.8	22	8.3	480	9.8
JOB LOSS	32	3.9	393	11.0	7	5.7	4	3.6	23	8.7	459	9.4
INCOME ADJUSTMENT	5	0.6	27	0.7	3	2.5	1	0.9	2	0.8	38	0.8
ASSETS IN EXCESS OF LIMIT	3	0.4	76	2.1	—	—	1	0.9	3	1.1	83	1.7
NOT LIVING AS A SINGLE PERSON	18	2.2	100	2.8	1	0.8	3	2.7	7	2.6	129	2.6
INCOME OVER BUDGET	8	1.0	92	2.6	3	2.5	3	2.7	5	1.9	111	2.3
DISPOSAL OF ASSETS	3	0.4	31	0.9	2	1.6	1	0.9	—	—	37	0.8
SPONSORSHIP	3	0.4	34	1.0	—	—	—	—	—	—	37	0.8
NOT SEEKING MAINTENANCE	—	—	11	0.3	—	—	—	—	3	1.1	14	0.3
EXPENSES DOWN	1	0.1	11	0.3	1	0.8	—	—	2	0.8	15	0.3
DEPENDENT NOT ELIGIBLE	2	0.3	2	0.1	1	0.8	—	—	2	0.8	7	0.1
PARENTAL HOME AVAILABLE	12	1.5	49	1.4	3	2.5	1	0.9	2	0.8	67	1.4
INFORMATION NOT PROVIDED	9	1.1	67	1.9	1	0.8	2	1.8	3	1.1	82	1.7
OTHER	28	3.4	251	7.0	16	13.1	23	20.7	44	16.7	362	7.4
TOTAL	G.W.A.		155	19.1	1557	43.7	50	41.0	41	36.9	118	44.7
											1921	39.4

TABLE 4 (CONT'D)

**APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S
DECISIONS AND DISPOSITION BY S.A.R.B.**

PROGRAM AND ADMINISTRATOR'S REASONS		GRANTED		DENIED		REFERRED BACK		JURISDICTION		NO CONSIDERED CLOSED		TOTAL	
		VOC.	REHAB.	#	%	#	%	#	%	#	%	#	%
LEARNING DISABILITY:													
NOT LEARNING - DISABLED		3	0.4	9	0.2	—	—	—	—	2	0.8	14	0.3
SCHOOL BOARD PROVIDES		10	1.2	37	1.0	2	1.6	—	—	1	0.3	50	1.0
PROGRESS INSUFFICIENT		1	0.1	20	0.6	—	—	—	—	2	0.8	23	0.5
INFORMATION NOT PROVIDED		—	—	3	0.1	—	—	—	—	—	—	3	0.1
TOTAL LEARNING DISABLED CASES		14	1.7	69	1.9	2	1.6	—	—	5	1.9	90	1.9
TOTAL OTHER VOC. REHAB. CASES		3	0.4	36	1.0	3	2.5	1	0.9	3	1.1	46	0.9
ALL VOC. REHAB. TOTALS		17	2.1	105	2.9	5	4.1	1	0.9	8	3.0	136	2.8
ALL PROGRAMS		812	100%	3568	100%	122	100%	111	100%	264	100%	4877	100%

TABLE 5: TYPE OF REPRESENTATION ON BEHALF OF APPELLANT

	<u>Number of Cases</u>	<u>%</u>
APPELLANT ALONE	1888	38.7
FRIEND OR FAMILY	1094	22.4
HEARING HELD IN ABSENTIA	1084	22.2
PRIVATE LAWYER OR LEGAL CLINIC	396	8.1
MEMBER OF PROVINCIAL PARLIAMENT	71	1.5
OTHER	344	7.1
 <u>TOTAL HEARD</u>	 <u>4877</u>	 <u>100.0</u>

TABLE 6: **DISTRIBUTION BY SEX**

	F.B.A.		G.W.A.		VOC. REHAB.		ALL PROGRAMS	
	#	%	#	%	#	%	#	%
MALE	1383	49.0	1393	72.5	106	78.0	2882	59.0
FEMALE	1437	51.0	528	27.5	30	22.0	1995	41.0
TOTAL	2820	100.0	1921	100%	136	100.0	4877	100.0

TABLE 7:
DISTRIBUTION BY FAMILY STATUS

FAMILY STATUS	FBA	GWA	VOC. REHAB.	ALL PROGRAMS
	#	%	#	%
SINGLE	773	27.4	909	47.3
MARRIED/COMMON-LAW	743	26.3	486	25.3
SEPARATED/DESERTED	386	13.7	192	10.0
DIVORCED	473	16.8	171	8.9
WIDOWED	258	9.2	46	2.4
NOT STATED	187	6.6	117	6.1
TOTAL	2820	100%	1921	100%
			136	100%
			4877	100%

TABLE 8:
DISTRIBUTION OF APPELLANTS BY AGE GROUP

AGE GROUP	F.B.A.	G.W.A.	VOC.	REHAB.	ALL PROGRAMS
	#	%	#	%	#
UNDER 16	7	0.3	2	0.1	34
16 AND UNDER 18	6	0.2	61	3.2	15
18 AND UNDER 60	2506	88.9	1693	88.1	81
60 AND UNDER 65	116	4.1	25	1.3	--
OVER 65	40	1.4	20	1.0	--
AGE NOT STATED	145	5.1	120	6.3	6
TOTAL	2820	100%	1921	100%	136
					4877
					100%

TABLE 9:

GEOGRAPHIC LOCATION OF APPELLANTS

MAJOR CITIES	1984-1985		1983-1984	
	APPEALS HEARD	PERCENT	APPEALS HEARD	PERCENT
BRAMPTON	25	0.5	9	0.2
BURLINGTON	28	0.6	47	1.0
HAMILTON	206	4.3	223	4.9
KINGSTON	24	0.5	39	0.9
KITCHENER	57	1.2	40	0.9
LONDON	148	3.1	207	4.6
METROPOLITAN TORONTO	847	17.7	850	18.9
MISSISSAUGA	53	1.1	40	0.9
OSHAWA	24	0.5	28	0.6
OTTAWA	165	3.5	151	3.4
ST. CATHARINES	74	1.6	120	2.7
THUNDER BAY	47	1.0	63	1.4
WINDSOR	347	7.3	265	5.9
TOTAL MAJOR CITIES	2045	42.9	2082	46.3
TOTAL OTHER COMMUNITIES	2832	57.1	2418	53.7
TOTAL APPEALS HEARD	4877	100%	4500	100%

TABLE 10:

**NUMBER OF APPEALS RECEIVED AND HEARINGS HELD DURING
THE TEN-YEAR PERIOD 1975-1976 - 1984-1985**

FISCAL YEAR	NUMBER OF APPEALS RECEIVED	NUMBER CLOSED WITHOUT HEARING	NUMBER OF HEARINGS	APPEALS PENDING AT YEARS END	PERCENT HEARD
1975-76	2,424	386	2,038	--	84.1
1976-77	3,644	695	2,949	--	80.9
1977-78	4,022	823	3,199	--	79.5
1978-79	4,471	907	3,551	--	79.4
1979-80	4,929	944	3,815 *	--	77.4
1980-81	4,792	906	4,098 *	572 *	85.5
1981-82	4,680	966	3,678	608	78.6
1982-83	4,920	708	4,219	601	85.8
1983-84	5,386	876	4,500	611	83.6
1984-85	5,792	1,014	4,877	512	84.2

* Changed from previously published data
to reflect revised reporting basis

Earlier data (unchanged) now provides
trend indicators only

TABLE 11: PERCENTAGE INCREASE (DECREASE) OF APPLICATIONS AND HEARINGS DURING THE TEN-YEAR PERIOD 1975-1976 - 1984-1985

FISCAL YEAR	APPLICATIONS FOR HEARINGS			CASES HEARD	
	NUMBER	PERCENT INCREASE (DECREASE) OVER PREVIOUS YEAR	PERCENT INCREASE (DECREASE)	NUMBER	PERCENT INCREASE (DECREASE) OVER PREVIOUS YEAR
1975-76	2,424	16.5		2,038	15.3
1976-77	3,644	50.3		2,949	44.7
1977-78	4,022	10.4		3,199	8.5
1978-79	4,471	11.2		3,551	11.0
1979-80	4,929	10.2		3,815 *	N/A
1980-81	4,792	(2.8)		4,098 *	2.4 *
1981-82	4,680	(2.3)		3,678	(10.2)
1982-83	4,920	5.1		4,219	14.7
1983-84	5,386	9.5		4,500	6.7
1984-85	5,792	7.5		4,877	8.4

* Changed from previously published data to reflect revised reporting basis

Earlier data (unchanged) now provides trend indicators only

TABLE 12:

PERCENTAGE OF APPEALS GRANTED AND DENIED DURING
THE TEN-YEAR PERIOD 1975-1976 - 1984-1985

FISCAL YEAR	NUMBER	APPEALS GRANTED	APPEALS DENIED	REFERRED BACK	JURISDICTION	NO CONSIDERED CLOSED
1975-76	100%	15.9	76.9	6.6	0.6	---
1976-77	100%	16.0	80.0	4.0	---	---
1977-78	100%	17.5	79.9	2.5	0.1	---
1978-79	100%	19.2	79.0	1.7	0.1	---
1979-80	100%	13.9	82.5	2.9	0.7	---
1980-81	100%	12.5	83.4	3.1	1.0	---
1981-82	100%	16.3	78.4	4.6	0.7	---
1982-83	100%	16.5	75.5	2.3	1.8	3.9
1983-84	100%	16.9	76.2	2.1	2.1	2.7
1984-85	100%	16.6	73.2	2.5	2.3	5.4

TABLE 13:

PERCENTAGE OF APPEALS HEARD BY PROGRAM DURING
THE TEN-YEAR PERIOD 1975-1976 - 1984-1985

FISCAL YEAR	TOTAL	F.B.A.	G.W.A.	VOC. REHAB.	GAINS	CO-PAYMENT
1975-76	100%	54.3	41.2	4.3	0.2	---
1976-77	100%	61.7	35.4	2.7	0.2	---
1977-78	100%	67.4	30.0	2.5	0.1	---
1978-79	100%	68.3	29.5	2.2	*	---
1979-80	100%	68.6	29.0	1.9	*	0.5
1980-81	100%	69.6	27.5	2.9	---	*
1981-82	100%	70.5	26.7	2.8	---	*
1982-83	100%	56.1	41.1	2.8	---	---
1983-84	100%	55.0	41.5	3.5	---	---
1984-85	100%	57.8	39.4	2.8	---	---

* less than 0.1%

TABLE 14:
APPEALS TO THE DIVISIONAL COURT OF THE SUPREME
COURT OF ONTARIO DURING THE TEN YEAR
PERIOD 1975-1976 - 1984-1985

FISCAL YEAR	APPEALS OPENED	APPEALS HEARD	APPEALS WITHDRAWN	TOTAL CLOSED	NUMBER PENDING
1975-76	3	2	-	2	3
1976-77	17	4	1	5	15
1977-78	14	5	9	14	15
1978-79	12	6	8	14	13
1979-80	17	6	10	16	14
1980-81	27	7	4	11	30
1981-82	19	9	14	23	26
1982-83	20	16	13	29	17
1983-84	45	9	19	28	34
1984-85	41	20	9	29	46



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